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Carnegie Endowment for International Peace

DIVISION OF INTERCOURSE AND EDUCATION

Publication No. 7

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FOR BETTER RELATIONS WITH OUR  
LATIN AMERICAN NEIGHBORS

A JOURNEY TO SOUTH AMERICA

BY

ROBERT BACON

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WASHINGTON, D. C.

1915

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Washington, D. C.

## *Preface*

No small part of the work of the Division of Intercourse and Education of the Carnegie Endowment for International Peace is done through the medium of international visits by representative men. Experience has already confirmed the reasonable assumption that such visits are useful, and in high degree helpful, in building up a spirit of international friendship and in developing international understanding. A careful reading of Mr. Robert Bacon's Report of the details of his trip to South America in the summer and autumn of 1913 will show precisely how such visits as his contribute to the peace and good order of the world. National ideals and national policies are carefully and sympathetically explained, not only to leading personalities in the countries visited, but also to large and representative audiences of teachers, merchants and men of affairs. The newspaper press is almost uniformly interested and helpful on occasions of this kind, and the visitor of distinction and of public service at home is made cordially and warmly welcome.

It is in high degree important to multiply such visits on the part of representative men in the various American republics. The barrier of language will be broken down, or surmounted, as a knowledge of English becomes more widespread in the South American countries, and as the ability to read, to speak and to write Spanish increases in the United States. Bonds of a common interest in finance and in commerce are already being forged between the peoples of the several American republics. These bonds will be followed and strengthened by others in due time. There will thus be developed a genuine American public opinion and a genuine American understanding and point of view, that will be common alike to the people of the United States and to those of the other republics to the south.

In order that Mr. Bacon's Report may most effectively accomplish its purpose, it is now published in two editions, an English edition for circulation among English speaking people, and a Spanish and Portuguese edition for circulation in Latin America.

NICHOLAS MURRAY BUTLER.

JULY 4, 1915.





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FOR BETTER RELATIONS WITH OUR  
LATIN AMERICAN NEIGHBORS



A JOURNEY TO SOUTH AMERICA

### *Note*

In this account of a visit made to South America in the fall of 1913, as the representative of the Carnegie Endowment for International Peace, upon the invitation of Dr. Nicholas Murray Butler, Director of the Division of Intercourse and Education, it has seemed well, for the sake of the record, to begin with the letter of instructions addressed to me by the Honorable Elihu Root, President of the Endowment, an editorial from the *American Journal of International Law*, commenting on the objects of the mission, and my brief letter to the Trustees upon my return, reporting what had been done. These are followed by a more detailed narrative account of the visit in each capital, another editorial from the *American Journal of International Law* discussing the results of the mission, and, in conclusion, an interview reporting some impressions of what had been seen and heard on the journey. In the Appendices will be found copies of addresses, letters, and drafts, or diseños, of addresses which were either delivered or published as articles in South American reviews.

ROBERT BACON.

NEW YORK, June, 1914.

## INTRODUCTION

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### *President Root's Letter of Instructions*

WASHINGTON, D. C., *July 20, 1913.*

HON. ROBERT BACON.

*Sir:*

I beg to confirm your appointment, by formal action of the Carnegie Endowment for International Peace, as the representative of the Endowment to visit South America at such time as you shall determine upon during the present year. The object of this mission, which you have already gratified us by promising to undertake, is to secure the interest and sympathy of the leaders of opinion in South America in the various enterprises for the advancement of international peace which the Endowment is seeking to promote, and by means of personal intercourse and explanation to bring about practical coöperation in that work in South America. You are already aware, and will readily make plain to our friends in South America, that Mr. Carnegie has placed in the hands of trustees the sum of ten million dollars, the income of which is to be devoted by them to the promotion of international peace. The trustees, upon consideration of the way in which they should seek the end for which the trust was established, formulated the following statement of specific objects to which the income of the trust should be devoted.

(a) To promote a thorough and scientific investigation and study of the causes of war and of the practical methods to prevent and avoid it.

(b) To aid in the development of international law, and a general agreement on the rules thereof, and the acceptance of the same among nations.

(c) To diffuse information, and to educate public opinion regarding the causes, nature, and effects of war, and means for its prevention and avoidance.

(d) To establish a better understanding of international rights and duties and a more perfect sense of international justice among the inhabitants of civilized countries.

(e) To cultivate friendly feelings between the inhabitants of different countries and to increase the knowledge and understanding of each other by the several nations.

(f) To promote a general acceptance of peaceable methods in the settlement of international disputes.

(g) To maintain, promote, and assist such establishments, organizations, associations, and agencies as shall be deemed necessary or useful in the accomplishment of the purposes of the corporation, or any of them.

To accomplish these objects the work of the trust has been organized in three divisions: (1) the Division of Intercourse and Education, of which Dr. Nicholas Murray Butler, President of Columbia University, is Acting Director; (2) the Division of Economics and History, of which Dr. John Bates Clark is Director; (3) the Division of International Law, of which the Secretary of the Endowment, Dr. James Brown Scott, is Director. The various objects above enumerated have been appropriately assigned to these three divisions. The methods and details of activity on the part of each of the divisions you will find indicated in a series of monographs, which will be handed to you herewith. From these you will perceive two things: first, that it is the purpose of the trustees, not that the trust organization shall become a missionary seeking to preach the gospel of peace or directly to express its own ideas to the world, but rather to promote and advance in each country and in all countries the organization and activity of national forces in favor of peace. It is not so much to add a new peace organization to those already existing in the world as it is to be a means of giving renewed vigor to all the activities which really tend in a practical way towards preventing war and making peace more secure. Second, that in aid of the work of each of these three divisions an extensive and effective organization has been perfected in Europe as well as in America, including a great number of the most eminent and highly respected statesmen, publicists, and leaders of modern thought.

The respect and friendship which the trustees of the Endowment entertain for the peoples of Latin America and for the many distinguished Latin Americans with whom many of the trustees have most agreeable relations of personal friendship, lead us to desire that the work of the Endowment may have the same active and useful coöperation in South America that it has already secured in Europe. For this purpose we should be glad to have you make to the gentlemen whom you meet in the South American capitals a full and thorough explanation of the history and purposes and methods of the Endowment.

You will observe that one of the means by which the Division of Intercourse and Education proposes to advance international good understanding is a series of international visits of representative men. Accordingly, under the auspices of the Division, directly or indirectly, Baron d'Estournelles de Constant of France, the Baroness von Suttner of Austria, and Professor Nitobe of Japan have already visited the United States, and President Eliot of Harvard University has visited India, China, and Japan, and Dr. Hamilton Wright Mabie is now

in Japan. Your visit to South America comes in this category, but it has a more definite and specific purpose than any of the other visits which I have enumerated or which are contemplated under the head that I have mentioned; for it is not merely to strengthen good understanding by personal intercourse between a representative North American and representative South Americans, but it is also to introduce to representative South Americans personally the work and purposes and ideals of the Endowment, and to invite our friends in South America to cordial and sympathetic union with us in promoting the great work of the trust.

It is not expedient or desirable in advance of your visit to be too specific regarding the scope and method of coöperation which may be possible with our South American friends, but you will readily observe in the monographs handed to you a number of ways in which such coöperation may be accomplished with but little delay. For example: (a) the formation of national societies of international law to be affiliated with the American Institute of International Law; (b) the presentation to the different governments of the opportunity to participate in the proposed Academy of International Law at The Hague by providing for the sending on the part of each government of a representative student to that academy, if organized. You will notice that the organization of such an academy to bring together students from the whole world under the leaders of thought in international law each summer depends very largely upon the question whether the governments of the world feel the need of such an institution sufficiently to give it their formal support by sending a representative student. (c) The appointment of national committees for the consideration of contributions to the program of the next Hague Conference and making arrangements for the intercommunication of such committees among all the American countries. (d) The establishment of national societies for international conciliation to be affiliated with the parent Association for International Conciliation at Paris. (e) To arrange for systematic furnishing of data for the work of the Division of Economics and History in accordance with the program laid down at Berne by the congress of economists in the summer of 1911. You will observe that Dr. Kinley, who was appointed a member of the Committee of Research with special reference to South America, will follow you in a visit to South America within a short period, and will suggest specifically the things that can be done in aid of the researches of this division. Your office in this respect should be to prepare the way for Dr. Kinley's reception and coöperation with him.

The trustees of the Endowment are fully aware that progress in the work which they have undertaken must necessarily be slow and that its most substantial results must be far in the future. We are dealing with aptitudes and impulses firmly established in human nature through the development of thousands of years, and the utmost that any one generation can hope to do is to promote the gradual change of standards of conduct. All estimates of such a work and its results must be in terms not of individual human life, but in terms of the long life of nations. Inconspicuous as are the immediate results, however, there

can be no nobler object of human effort than to exercise an influence upon the tendencies of the race, so that it shall move, however slowly, in the direction of civilization and humanity and away from senseless brutality. It is to participate with us in this noble, though inconspicuous, work that we ask you to invite our friends in South America with the most unreserved and sincere assurances of our high consideration and warm regard.

Very faithfully yours,

ELIHU ROOT,  
*President.*



*Editorial from The American Journal of International Law,*

JULY, 1913

Announcement has been made by the Carnegie Endowment for International Peace that the Honorable Robert Bacon, formerly Secretary of State and American Ambassador to France, will make a visit under its auspices to South America during the coming fall. The specific objects of Mr. Bacon's visit have not yet been made public, but the general object of the mission is stated to be to secure the interest and sympathy of the leaders of opinion in South America in the various enterprises for the advancement of international peace which the Endowment is seeking to promote, and by means of personal intercourse and explanation to bring about the practical coöperation of South America in that work.

The aims and purposes of the Carnegie Endowment have already several times been commented upon in the columns of this JOURNAL. In the issue of January, 1911, we printed Mr. Carnegie's letter, which accompanied the deed transferring the bonds, in which Mr. Carnegie stated his reasons for establishing the trust, and in the issue of April, 1911, the permanent organization effected by the Trustees and the specific purposes to which they would devote the income from the trust were stated. In the following number we printed an address of Dr. Nicholas Murray Butler, a member of the Board of Trustees and of the Executive Committee of the Endowment, delivered at the opening of the Lake Mohonk Conference on May 24, 1911, in which he explained the division of the Endowment's work into three general departments, the Divisions of Intercourse and Education, Economics and History, and International Law, and stated what the Trustees hoped to accomplish in each division.

The Year Books issued by the Endowment for 1911 and 1912 supply the details of the work being done in each of these divisions, and some idea may be obtained from them of the enterprises which the Endowment might hope to extend to South America as the result of Mr. Bacon's visit.

In the Division of Intercourse and Education there has been appointed a corps of correspondents and an advisory council for Europe and Asia composed of prominent and influential men in the different countries. No provision for such an organization for Latin America seems yet to have been made, and the extension of the European organization to those countries would seem to be a prime object of Mr. Bacon's visit. There is also reference in the Year Books to an educational exchange with Latin America, including not only an exchange of professors, but also an exchange of students. It appears from the last Year Book that the educational exchange with Japan has already been successfully carried out by the visit to the United States during 1911-1912 of the well-known Japanese educator, Dr. Inazo Nitobe, and the return visit to Japan during the

present year of Dr. Hamilton W. Mabie; but it does not appear to have been practicable so far to bring about such an exchange with Latin America, although provision for it has been made each year by the officers and Trustees. It was planned to put the exchange with Latin America into operation during the year 1912, and arrangements were begun for the visit to the United States of Dr. Luis M. Drago, formerly Minister of Foreign Affairs for the Argentine Republic, but the state of Dr. Drago's health was such that the plan could not be consummated. Perhaps the presence of Mr. Bacon in South America will be utilized to arrange a definite program for carrying out this project.

Another project reported under this Division is the scheme for international visits of representative men. Such visits have already been inaugurated with Asia by the recent trip of Dr. Charles W. Eliot, and with Europe by the visit of Baron d'Estournelles de Constant and several other eminent Europeans to the United States. The trip of Mr. Bacon is evidently the first step in such an interchange of visits with Latin America. This Division seems also to be particularly interested in the extension of branches of the Association for International Conciliation, which has its headquarters in Paris and a strong branch in New York City. In this connection it is interesting to note that if the recommendations of the Acting Director of the Division of Intercourse and Education are followed by the Trustees, it is likely that the Endowment will rely more upon this form of propaganda in the future, as distinct from the work of peace societies which have heretofore been generally the agents of popular propaganda in the peace movement. The following extract from the report of the Acting Director to the Executive Committee, dated November 16, 1912, shows the clear distinction between the two forms of organization and the separate fields of activity of each:

The Acting Director is entirely clear in the opinion formed as a result of two years of study of conditions which prevail both in European countries and in the United States, that the work of propaganda in support of the ends which the Endowment has been established to serve, can be carried on most effectively and economically not through peace organizations alone, but through organizations having a broader scope and making a wider appeal. Those persons who become members of a society whose name indicates that it is devoted to peace, are already converted. In every nation in the world there are hosts of right-thinking and well-minded men and women who, while wholly unwilling to affiliate themselves with any peace society, are ready and anxious to assist in the work of promoting better international understandings and closer international relationships from which peace will result as a by-product. The function of the peace societies is a distinctive and very important one. They may well form a compact and effective body of workers in the cause of international peace and arbitration, who constitute as it were the advance guard of the great army which it is hoped can be recruited and brought into active service. In the present state of public opinion throughout the world, the best use which the Carnegie Endowment can make of such portion of its funds as can be devoted to the work of active propaganda, is to build up and support organizations which give evi-

dence of a willingness and a capacity to promote closer international relations, to advance the knowledge on the part of each civilized people of its fellows, and to multiply the ties of friendship and concord between the great nations of the earth. Among these organizations peace societies will of course be found, but it would not be judicious to entrust the whole work of propaganda to them.

Societies of international conciliation have recently been started in Germany, Great Britain and Canada, and steps are being taken to organize an association of this kind in Argentina. It may be feasible for Mr. Bacon on his forthcoming trip to suggest the establishment of such organizations in the other countries which he will visit.

Perhaps the most far-reaching and important work the Endowment is doing is that which is being conducted under the Division of Economics and History. A full account of the work of this Division and of the conference of economists held under its auspices at Berne in 1911 for the purpose of devising a plan of inquiry and investigation is contained in the editorial columns of this JOURNAL for October, 1911, p. 1037. There is also printed therein the full program recommended by that conference. It appears from the reports of the Director of this Division that the members of the Conference of Berne have since been formed into a permanent Committee of Research to supervise the actual work of investigation, which is entrusted to collaborators able to devote a large portion of their time to the work and to put the results in form suitable for publication. An American economist having unusual familiarity with South American conditions and large attainments in economic science, both theoretical and practical, Professor David Kinley of the University of Illinois, has been added to the Committee of Research, and he has planned a line of research having its field in South America. Mr. Bacon will probably find the occasion opportune to explain the work of this Division and to invite the aid and coöperation of the economists of South America in extending to these countries the program of studies outlined by the Conference at Berne.

The JOURNAL has likewise had occasion to comment on the organization and projects of the Division of International Law. In the number for October, 1912, an editorial comment explained the relations which had been established between the Institute of International Law and the Division of International Law of the Endowment, under which the former has accepted the title and performs the functions of General Legal Adviser of the Division. In the same issue there was a comment upon the organization of the American Institute of International Law, and further comment and information concerning this project was given in an editorial in the January number for 1913. The field of usefulness of the European Institute to the Endowment seems to be limited to the Eastern Hemisphere, and if it is the intention of the Trustees to secure a similar advisory body for Latin America, the proposed American Institute would seem to be an admirably constituted body to perform these functions, and it has the advantage of

being already in existence, and will no doubt be willing to follow the example of its distinguished European prototype and enter into similar arrangements with the Division of International Law.

Unlike the European Institute, a feature of the American Institute requires the establishment of national societies of international law. Mr. Bacon's visit could not only, therefore, be utilized to accelerate the organization of the Institute in those countries of South America which may not have progressed so far as others in this organization, but also to suggest and aid in the formation of national societies of international law to be affiliated with the Institute in accordance with the plan already outlined in the previous issues of the *JOURNAL* above referred to.

Another project of the Division of International Law in which Mr. Bacon could be particularly useful is the proposed Academy of International Law at The Hague. This proposal is briefly outlined in a comment in the January, 1912, number of the *JOURNAL*, at p. 205. It appears from the report of the Director of the Division of International Law, dated October 26, 1912, that before committing itself definitely to the support of such an Academy, the Executive Committee of the Endowment wishes to be assured that the Academy is approved generally by the countries represented at the Second Hague Conference, and that, if established, these countries will aid and assist in securing a student body who, after having taken the courses at the Academy, will occupy such positions in their country as to make their influence felt in matters pertaining to international relations. It is explained that by this is meant students drawn from the different branches of the government service, such as the diplomatic and consular services, and the military, naval and civil establishments. The successful operation of such an arrangement necessarily requires the cordial sympathy and support of the South American countries, and Mr. Bacon's former high position in the Government of the United States will doubtless make it possible and proper for him to broach this subject to the high officials whom he will meet in the countries visited and to secure if possible their assurance of coöperation.

Mr. Bacon is now in the Philippine Islands, and the details of the itinerary which he will follow in South America have not been published. It is expected, however, that he will return from the Orient by way of Europe, will sail from Lisbon about the middle of September, and will return to New York before Christmas. He will visit as many countries on the eastern and western coast of South America as his limited time will permit.

Mr. Bacon will be the first American statesman to visit South America since the memorable visit of Senator Elihu Root, then Secretary of State of the United States. Mr. Root's trip was such a success in the good results accomplished and in the ties of friendship and good will resulting from it, that it is hardly to be expected that Mr. Bacon, traveling as he is in a private capacity, will attain such marked results. If he succeeds, however, in small measure, in awakening the sentiments which were expressed to Mr. Root on every hand, and if he spreads the gospel of good will and friendship, of good understanding and conciliation, of jus-

tice and of peace, which it seems to be the desire and purpose of the Carnegie Endowment to spread to South America, as it has done, and is doing, in North America, Europe and Asia, his mission will have been an unqualified success and the Trustees of the Endowment which sent him will have just cause for congratulations for this enlargement and extension of their field of activity.

## *Mr. Bacon's Preliminary Report*

---

TO THE BOARD OF TRUSTEES OF THE  
CARNEGIE ENDOWMENT FOR INTERNATIONAL PEACE.

SIRS:

I have the honor to inform you that, in pursuance of the letter of instructions of the Honorable Elihu Root, dated July 20, 1913, and delivered to me in Paris on September 14th by Dr. James Brown Scott, I have completed a visit to South America undertaken as the representative of the Carnegie Endowment for International Peace.

After a week spent in Paris in the preparation of material with the generous and invaluable assistance of Dr. Scott and Señor Alejandro Alvarez, I proceeded to Lisbon, sailing from that port on September 23rd for Rio de Janeiro, accompanied by my wife and daughter, Judge Otto Schoenrich and Mrs. Schoenrich and Mr. William R. Hereford.

While in South America I visited the capitals of Brazil, Argentina, Uruguay, Chile and Peru. The inaccessibility of the capitals of the other Republics and the lack of satisfactory steamship and railway connections, made it impossible to extend this itinerary in the time at my disposal.

The universal admiration and respect in South America for the President of the Endowment, Mr. Root, the affectionate regard of his many friends in these countries, assured for me, as the bearer of his letter of instructions, the most cordial reception. In every country which I visited the leaders of opinion testified in public addresses and in personal conversations to the high esteem in which the President of your Board is held in South America, and expressed their earnest desire to coöperate with him and his fellow-trustees in the work of the Endowment.

In the countries mentioned I met the representative men, and by means of addresses, interviews and personal intercourse, was able to introduce to them the work and purposes and ideals of the Endowment.

In Rio de Janeiro addresses were delivered at the Public Library, under the auspices of the Brazilian Academy and the Institute of the Order of Advocates, and at the American Embassy; in Montevideo, at the Ateneo, under the auspices of the University; in Buenos Aires, before the Faculty of Law of the University; in Santiago, at the University of Chile; in Lima at the University of San Marcos, and before the Colegio de Abogados.

I shall submit later, in the language in which they were delivered, copies of the principal addresses and of remarks made upon other public occasions; also a collection of the principal articles appearing in the press.

Year Books of the Endowment and printed pamphlets, some of which were for publication in newspapers and reviews, were distributed among the representative South Americans. Copies of these pamphlets, which were descriptive of activities in which the Endowment is directly or indirectly interested, will be included in a subsequent report.

On every side the invitation to our friends in South America to cordial and sympathetic union with the Trustees in the various enterprises which the Endowment is seeking to promote, met with enthusiastic response.

The proposed exchange of visits of representative men was most heartily approved and might be put into execution without delay. The exchange of professors and students met with cordial approval. The time seems ripe to take up the question of the exchange of professors, and I feel sure that whenever the Trustees are prepared to make a definite proposal regarding the exchange of students they will find a willing coöperation in the five Republics which I visited.

It was my good fortune to be in Lima while the Pan-American Medical Congress was in session, and at the opening meeting of that body of scientists, to hear one of the speakers, Dr. Cabred, refer with appreciation to the work of the Carnegie Endowment for International Peace. I was deeply impressed by the fact that these men, gathered together from the American republics for a common, humanitarian purpose, well represented the "international mind," and I took the liberty of suggesting to the President of the Congress, Dr. Odriozola, the possibility of selecting from the Congress representatives who might be willing to visit the United States in connection with the exchange of visits proposed by the Endowment.

The way has been prepared for the formation of national societies for conciliation to be affiliated with the Associations for International Conciliation in Paris and New York. In Rio de Janeiro, Senhor Helio Lobo; in Buenos Aires, Señor Benjamin García Victorica; and in Lima, Dr. Juan Bautista de Lavalle, have accepted the position of Honorary Secretary.

Societies of International Law to be affiliated with the American Institute of International Law, have either been actually formed or are in process of formation in Rio de Janeiro, Buenos Aires, Montevideo, Santiago and Lima.

I had the honor of presenting to the Governments of the countries which I visited the opportunity to participate in the proposed Academy of International Law at The Hague, and of calling their attention to the necessity of appointing national committees for the consideration of contributions to the program of the next Hague Conference and making arrangements for the intercommunication of such committees among all the American countries.

The representatives of the several Governments with whom I talked were receptive without exception. The proposed Academy of International Law at

The Hague made an immediate appeal to their sympathy and interest and they also expressed their appreciation of the importance of the early appointment of national committees to discuss contributions to the program of the next Hague Peace Conference.

In all the principal addresses I took the opportunity to describe the work of the Division of Economics and History of the Endowment, and to bespeak for it the assistance of our friends in South America in arranging for the systematic furnishing of data in accordance with the program laid down at Berne. Special attention was called to the forthcoming visit to South America of Dr. Kinley as the representative of the Division.

In every capital distinguished men gave their sympathetic, unflinching and invaluable coöperation and assistance. These men devoted their time and thought with the utmost willingness. Through their efforts I was afforded the necessary opportunities to make to the leaders of opinion in South America full and thorough explanations of the history and purposes and methods of the Endowment.

Through the courtesy of the Ministers of Foreign Affairs for their respective countries I had the privilege of audiences with President Hermes da Fonseca, of Brazil; President Batlle y Ordóñez, of Uruguay; Vice-President de la Plaza, of the Argentine Nation, President Saenz Peña being absent from the capital because of illness; President Barros Luco, of Chile, and President Billinghurst of Peru.

Particular acknowledgment should be made also of the valuable assistance and coöperation received from the diplomatic representatives of our own country. Mr. Edwin Morgan, our Ambassador in Rio de Janeiro, and the Secretary of Embassy, Mr. Butler Wright; Mr. Garrett, the American Minister in Buenos Aires, and the Military Attaché, Major Shipton; Mr. Grevstad, the American Minister in Montevideo; Mr. Harvey, Chargé d'Affaires in Santiago, and the Military Attaché, Captain Biscoe; Mr. Benton McMillin, the American Minister in Lima, and Mr. Pennoyer, the Secretary of Legation, all personally devoted a great deal of their time and attention to furthering the objects of my visit. I cannot express my gratitude for their hospitality and for their advice and assistance.

At a later date I shall make a full report of my visit to South America. In presenting this brief summary permit me to renew the assurances of my high appreciation of the honor conferred upon me by the Trustees in appointing me as their representative to visit South America.

Respectfully submitted,

ROBERT BACON.

December 24, 1913.



## *For Better Relations with Our Latin American Neighbors*

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### I. PRELIMINARY OBSERVATIONS

In a letter to the Trustees of the Carnegie Endowment for International Peace I reported very briefly the principal matters of interest in a journey to Brazil, Argentina, Uruguay, Chile and Peru, undertaken as the representative of the Carnegie Endowment for International Peace, in pursuance of an invitation received, under date of April 1, 1913, from Dr. Nicholas Murray Butler, director of the Division of Intercourse and Education, and a letter of instructions, dated July 20, 1913, from the Honorable Elihu Root, the President of the Endowment.

In this more detailed account of the journey I have tried to tell in narrative form just what was done in each city, for in that way, perhaps, better than in any other, it is possible to give an impression of the extreme kindness of the reception which was everywhere extended to me, as the representative of the Carnegie Endowment for International Peace, and of the cordial sympathy and interest manifested on every side in the work and purposes of the Endowment. The friendly attitude of the press in all the countries which I visited, the extreme courtesy of the various governments, the spontaneous approval of the leaders of opinion as expressed in letters and telegrams and personal interviews, and the manifest cordiality of the people, afford convincing proof that the Trustees will find in South America a valuable and energetic coöperation in the noble work upon which they are engaged.

Reference is made to many persons who were most helpful to me. The record is by no means complete, but in another place I have mentioned more fully those in official and unofficial life to whom I have been chiefly indebted for aid, advice and information, trying to express at the same time something of my deep sense of obligation and gratitude toward them.

By history even more than by nature the countries of the North and South American continents are bound closely together.

At all times since the revolt of the South American colonies from Spain at the beginning of the last century, there have been distinguished leaders in public affairs in this country who have voiced the friendship of the United States for the nations to the south of us. Henry Clay, as early as 1816 (in a speech on the Lowndes Bill to reduce the direct taxes imposed during the war of 1812), foreshadowed the possibility of our aiding the Spanish American colonies in their struggle for independence. In 1818, in one of his most brilliant arguments, advocating "that our neutrality be so arranged as to be as advantageous as possible to the insurgent colonies," and that "the United States send a Minister to the 'United

Provinces of Rio de la Plata,' thereby recognizing that revolutionized colony as an independent state," Clay pictured with poetic prophecy the wonderful lands to which we are joined by the Isthmus of Panama.

James G. Blaine's part in bringing about closer relations between the American Republics is well known. Blaine in 1881 convoked the Pan-American Conference which, owing to circumstances, did not convene until eight years later, when Blaine was again the Secretary of State. In extending his original note of invitation in 1881, Blaine acted upon the inspiration and initiative of President Garfield, who was keenly sensible of the advisability of closer union among the republics of this continent and to whose statesmanship may be attributed the first of those Pan-American Conferences which are now held regularly. In 1881, President Garfield, acting through his Secretary of State, proposed a Conference which should have the sole object of discussing methods of preventing war between the nations of America. Blaine's statesmanship foresaw the practical advantages of reciprocal commercial relations which should more intimately weld the American nations together; and this with numerous other topics formed the program for the first Pan-American Conference which met in Washington in 1889.

In our own day, Elihu Root is the statesman who has most conspicuously exemplified our traditional policy of American unity. His friendship for our sister republics has manifested itself in repeated public declarations which have clearly outlined a rule of conduct for us in our relations with the other nations on this continent. His doctrine is the doctrine of sympathy and understanding, of kindly consideration and honorable obligation; and when his views, which combine the idealism of Mr. Clay and the utilitarianism of Mr. Blaine, have come to be accepted generally as the foreign policy of the United States in this hemisphere, the question of how the United States and her sister republics on this continent can be drawn into closer relations will have found a complete answer.

That we have not as a nation aggressively acted upon the advice of these leaders, giving to their declarations only tacit assent unsupported by positive action, has been largely due to the fact that our country has been intensely occupied with its own affairs, its own marvelously rapid development and its own internal problems. The eminent Dr. Roque Saenz Peña, in a forceful address delivered in Washington in 1889, when he was a delegate to the first Pan-American Conference, frankly expressed his realization of this fact.

Dr. Saenz Peña upon that occasion said:

The truth is that our knowledge of each other is limited. The republics of the North of this continent have lived without holding communication with those of the South, or the nations of Central America. Absorbed, as they have been, like ours, in the development of their institutions, they have failed to cultivate with us closer and more intimate relations.

While I am confident that this true explanation of our mistakes is accepted by the discerning statesmen of our sister republics, it has been only natural

that the apparent, and often actual neglect of our opportunities to cultivate a better understanding of our neighbors, our ignorance of their affairs and our seeming national indifference to their progress should have tended to engender on their part sentiments of resentment, distrust and suspicion. Mr. Root's historic visit to South America in 1906 has been responsible, more than any other single factor, for the correction of these impressions of us. Our people at large have not even a faint conception of the great service Mr. Root has done them by his sympathetic attitude and by his repeated utterances of our national policy, but this service is recognized in all parts of South America, where he is regarded with the deepest affection and respect.

The most effective way of carrying out Mr. Root's instructions seemed to be by conversations with representative South Americans, addresses delivered under the auspices of universities or learned societies, and articles in newspapers and reviews. I was afforded every opportunity to employ these various methods. Public addresses were delivered in each capital visited, numerous conferences were held with leading citizens, and the press gave the widest possible circulation to descriptions of the work of the Endowment and the activities in which it is interested.

There is, I believe, no field more fertile for the work of the Endowment than South America and no time more opportune than the present to cultivate good relations between this country and the republics of the great continent to the south of us.

It is a fact now generally recognized that the people of this country have been and still are ignorant of the actual conditions of these great Latin-American nations which are advancing in the path of progress as rapidly as we have advanced at any period of our history. We have been neglectful of opportunities not only to improve our commercial relations with our sister republics, but, what is of infinitely greater importance, of opportunities to cultivate intellectual intercourse and sentiments of friendly understanding which shall bind us more closely to each other in the future.

It becomes, then, a most urgent duty to overcome our ignorance and repair our mistakes. In no better way, I think, can these results be achieved than in the way the Trustees of the Endowment have indicated, and it is a matter for profound satisfaction that our friends in South America have expressed full sympathy with the plans of the Endowment and have promised their energetic coöperation.

The plan of the Division of Intercourse and Education for "the visit to various countries of representative men of other countries for the purpose of making better known the spirit, institutions and ideals of the several nations," as outlined in the monograph which formed a part of my general instructions, was accepted by the men I met in South America with unanimous approval. Such an exchange of visits would be productive of immediate good. Possibly by no other method could results be obtained which would be so quickly apparent and,

although the work of the Trustees is wisely builded upon a consideration of the far future rather than of our own day, it is nevertheless well to bear in mind the public desire for some tangible token of progress which would serve as a popular incentive and inspiration. It is very gratifying to know that steps have been taken to carry into effect the plan to have distinguished South Americans visit the United States, and it is to be hoped that nothing will be allowed to retard the work in this hemisphere which the Division has already begun so successfully in connection with the Far East.

In regard to the selection of South Americans to come to the United States, it has seemed to me that it might be advisable to allow this to be done by scientific or educational societies under whose auspices the visits could be made. In all of our great sister republics to the south there are men in public and private life well qualified for such a mission, men of brilliant attainments who speak English and have an excellent knowledge of conditions in the United States. Those whom the Endowment might select to visit South America from this country, unless they were able to speak in Spanish or at least in French, would find their usefulness limited. In Argentina and in Chile more English is spoken than elsewhere on the South American continent, but even in these countries the knowledge of the language is confined to comparatively few. French is spoken among the cultured classes, but, while a knowledge of French is much more common with them than it is with us, any representative of the Endowment depending only upon French and English would often experience the need of Spanish.

The foregoing remarks might apply with added force to the proposed exchange of professors of universities, unless, of course, it were desired that the professor visiting the South American universities should give his lectures in English.

The schools and colleges of Brazil; the University de la Plata and the University of Buenos Aires in the Argentine; the University of Montevideo; the University of Chile in Santiago, and the ancient University of San Marcos in Lima, are all important seats of learning with distinguished faculties, and a regular exchange of professors with them should be instituted as soon as possible. It might be well for professors who are sent from the United States to divide their time between the principal Latin American universities. The professors to be invited to this country might include one from each of the Republics mentioned, if that number should not be too large for the purpose of the Endowment, and they, also, might alternate at five of our leading universities, which would enable a professor to remain about six weeks at each university, the lectures thereby covering the entire academic year.

The practical good done by the Harvard and Columbia exchanges of professors with France and Germany is sufficient indication of the benefits to be derived from such exchanges with South America. The condition of a nation can be judged very accurately by the conditions existing at its typical colleges. When

we know what and how the young men of a country are taught and the attitude they assume toward the acquisition of knowledge, we can form a conception of the spirit of a people which will not be far from the truth. South American educators discussed with great interest the interchange of professors proposed by the Endowment and will lend to it their hearty support.

In regard to the proposed exchange of students of universities of South America and our own universities, I found a general commendation of the idea, but it was felt that details of the project would have to be clearly presented before all doubts of its entire advisability were allayed. Latin-American universities and our own are dissimilar in many respects. The opinion was expressed that many parents would hesitate to send their sons to our far-away universities where the students are allowed much greater liberty than they are accustomed to enjoy in South American schools. It was feared that in the absence of family control and family supervision the young men might succumb to temptation. Of course this is not unlike the problems which parents in the United States must face when they are sending their boys away from home, but the added distance contemplated in such an exchange makes it more difficult for fathers and mothers to part with their boys, particularly as the parting must be for a considerable period of time.

It seems to me that some scheme might be possible whereby such South American students could receive a more personal supervision, but, until a definite plan is devised, the proposal looking toward a systematic exchange of students is sure to meet with considerable objection on the part of our neighbors. The young men, themselves, I am convinced, are enthusiastically in favor of it, and several wrote or spoke to me about the possibility of studying in the United States. The mutual benefit the republics would derive is so great that every effort should be made to devise a practical method for carrying out the project.

The Division of Intercourse and Education which has jurisdiction over the exchange of visits of representative men and the exchange of professors and students, has also within its scope the formation of national societies for International Conciliation. I found leaders of thought in South America agreed upon the beneficent work these societies can accomplish and they were eager that national societies should be organized in Latin America. We have been fortunate in obtaining the acceptance of well qualified men to act as honorary secretaries for National Societies for Conciliation in Brazil, the Argentine and Peru and it is expected that a secretary will soon be found for Chile.

It might be advisable to have the pamphlets of the Society for International Conciliation, which are intended for distribution in the Argentine, Chile and Peru printed in Spanish and those for Brazil printed in Portuguese. They would thus obtain a much wider circulation and the work in that way become more popular than if printed in French or English.

In every capital which was visited committees were informally got together which should be the basis for organization of permanent National Societies of

International Law, to be affiliated with the American Institute of International Law, founded in 1912 with Mr. Root as Honorary President and Dr. James Brown Scott as President. In this work prominent publicists gave their zealous support, approving the plan unanimously and devoting to the cause such energy and enthusiasm that the Trustees have every reason to look forward to most encouraging results. It was readily appreciated that such a project as this, essentially intellectual and scientific, must serve as the lasting foundation for all other work of bringing nations into closer relations. The rights of peoples, no less than the rights of individuals, must rest on law.

On several occasions spokesmen of societies of lawyers made responses expressing unqualified approval of the plan to popularize by means of these national organizations the principles of international law, to the end that enlightened public opinion should demand the settlement of questions arising between nations upon the principles of law rather than by a resort to force. The intercommunication of such organizations, through affiliation with the American Institute, will, in itself, be a potent factor in bringing about a better understanding of each other by the several countries.

The eminent authorities on international law in the Southern Republics have made long and careful studies of their subject with particular reference to American affairs and the support they will give to the American Institute will be most valuable. The further work of organization should be done without delay. As Mr. Root in the final paragraph of his letter of instructions points out, the results to be achieved are not to be measured in the terms of individual life, but in the long life of nations and this is fully realized by our friends in Latin America; but advantage should be taken of the present enthusiasm to enlist the services of these distinguished men in the cause which the American Institute represents. The Trustees, I believe, will find no activity which they could support with more fruitful results or which more strongly appeals to the leading men of the South American Republics.

The proposed Academy of International Law at The Hague aroused a lively interest. It was felt that such an Academy, where delegated representatives of the various governments of the world would meet for the study of international law under the instruction of eminent masters, must result in a greater uniformity of opinion, a "standardizing", if the phrase be permitted, of a science which has heretofore been followed only in a manner productive of diverse views. No effort was made to obtain the commitment of any government to the proposal; the time was considered unripe for such action. My instructions had contemplated nothing more definite than inviting the attention of the various Governments to their opportunity to participate in the proposed Academy, but I feel quite sure, from the general interest displayed in the subject and from the approbation expressed by the Ministers of Foreign Affairs, that, when the proposed Academy assumes definite form, the Governments of the five South American Republics which I visited will eagerly avail

themselves of the opportunity to participate in it and that each one will send to it one or more duly delegated representatives.

In conversations with the Minister of Foreign Affairs of each country, in accordance with my instructions, the subject was brought up of the early appointment of national committees for the purpose of discussing the programme of the next Hague Peace Conference and the advantages to be derived from the inter-communication of such national committees in America, in order that when the next Peace Conference is convoked delegates may go there in a better state of preparation and more united in their views of the objects to be accomplished than was the case at the Second Peace Conference at The Hague. The nature of such private conversations precludes the idea of giving to them any public form, but I may say that the necessity for early action is appreciated by the various Governments.

The work of the Division of Economics and History of the Endowment formed a part of the principal address delivered in each city and aroused much interest. South American historians who can prove of invaluable service in furnishing the Division with data regarding the causes and effects of the many wars with which the Southern Republics have been afflicted, and with historic information regarding the relations of Latin American nations, heard with pleasure of the forthcoming visit to South America of Dr. Kinley as the representative of this Division of the Endowment. Dr. Kinley's well-known achievements, his friendship for Latin America and the mission upon which he goes will, I am confident, assure him a most cordial reception and the valuable assistance of South American economists.

The fact that we were able to remain only a few days in each country renders presumptuous any attempt to describe social or political conditions in the South American Republics. Whatever expressions of opinion regarding these matters may appear refer to well-known characteristics or to facts that become evident in even a very brief stay.

In speaking or in thinking of the Republics of South America we are exceedingly apt to fall into the error of regarding them as a whole. The ten separate states are as distinct as the separate countries of Europe; the peoples constituting them differ in race, habits, and ideals; their governments, though retaining the same basic form, are really often quite dissimilar. We shall never go very far toward improving our relations with the Latin American Republics, either in the matter of intellectual intercourse or of commerce until we have made ourselves familiar with the separate nations and by study or actual contact learned to make the necessary distinctions between them. A true understanding of our neighbors can come only with a knowledge of their separate histories, of their heroes, of the epics of valor and perseverance of each Republic and of the races from which they have sprung, native and European.

The day has gone by when the majority of these countries, laboriously building up a governmental structure under tremendous difficulties, were unstable,

tottering and likely to fall from one month to another. Now all the more important Republics are firmly established and no longer live in the shadow of dictatorships or unconstitutional rule. They "have passed", to use the words of Mr. Root, "out of the condition of militarism, out of the condition of revolution, into the condition of industrialism, into the paths of successful commerce, and are becoming great and powerful nations". With this development has come material progress and prosperity attracting the attention of the world to South America and assuring its increasing greatness in the future.

Although error springs from regarding the South American nations as a whole, certain characteristics are, in greater or less degree, common to all of these peoples. They are hospitable, courteous, sensitive, proud and intensely patriotic. Whoever goes among them with a disregard of these traits is sure to produce a bad impression upon them. We of northern climes are traditionally more brusque, and brusqueness is foreign and offensive to these descendants of the polite races of the Iberian Peninsula. Their sensitiveness causes them to resent criticism, although they accept most readily suggestions prompted by a sincere friendship; but an attitude of superiority, too often assumed by unthinking persons of other nations, can beget only their suspicion, distrust and contempt.

Much has been said of the rivalry existing between the various Republics. It is only natural that the rapid progress made by nations lying so close to each other should produce a spirit of keen competition in their advance toward the common goal of greatness. The same spirit is evident in nearly every country in the world. The sentiments which exist between the several nations should be respected by all who deal with them, for in that way only can one escape giving offense by apparent partiality; but I incline to the belief that much loose talking of persons ignorant of the facts and a good deal of loose writing and loose thinking by careless observers have grossly exaggerated the nature of this competitive spirit.

Upon the great questions concerning the welfare of the entire continent, upon matters relating to the advancement of humanity in general and upon the principles of right and progress, the peoples of South America, or, at least, those with whom I came in contact, are united. They are believers in high ideals and in the work for these ideals they show a solidarity that rises far above any feeling of national rivalry.

In every country which I visited I found sentiments of warmest friendship for the United States. The reported occasional public expressions by agitators of South American distrust of our purposes and motives are practically negligible in comparison with the earnest desire for the friendliest relations between our countries which one hears expressed by the real leaders of opinion everywhere.

It behooves the people of this country, however, to conduct themselves toward their Latin-American neighbors with such consideration and fairness that no



cause for suspicion may arise. It has been decreed by our geographical position and historical association that our destinies shall not be separate. Such has been the view of our own statesmen from the time of Monroe and such was the opinion of those early great leaders of South American independence. I believe that this opinion is held by the South American leaders of today, not in any sense of political alliance and, certainly, in no degree in a manner to involve the sovereignty of any state concerned, but as a matter of policy necessitated by our proximity to each other, our isolation from other continents and our common ideals of liberty. We must all, I think, admit the force of the argument for our interdependence, but each American nation should be scrupulously careful in respecting the rights and sentiments of the others.

For our conduct we cannot do better than to remember and follow the sentiments of John Quincy Adams expressed in a special message to the House of Representatives, explaining his action in appointing delegates to the Conference held in Panama :

The first and paramount principle upon which it was deemed wise and just to lay the corner-stone of all our future relations with them (our sister American republics) was disinterestedness; the next was cordial good will to them; the third was a claim of fair and equal reciprocity.

These sentiments which served as the "corner-stone of all our future relations," are as applicable today as when they were written, more than eighty years ago.

## II. THE JOURNEY

Among the many changes which are rapidly transforming the relations of South America with the rest of the world, none, perhaps, is more apparent to, or has a more immediate interest for North America, than the improvement in the means of communication between the two continents. Neighbors of the North and South are no longer forced by considerations of comfort or expedition to make their visits to each other by way of Europe.

Good passenger steamships now ply regularly between the United States and the principal ports of the east coast of South America, or between the ports of this country and the Isthmus of Panama, where connection may be made with the steamships of several lines engaged in the coastwise traffic on the Pacific side.

The journey that only a few years ago was looked upon as accompanied by hazards and hardships has become a cruise in pleasant and interesting waters where the seas are singularly free from storms.

These favorable conditions, which are too little known to the general public, continue to improve yearly, and with the opening of the Panama Canal, the improvement must be even more rapid.

That our own party embarked from Lisbon for Rio de Janeiro was due to the circumstance that some of us had come from the Orient and to the fact that a meeting had been arranged in Paris with Dr. James Brown Scott, the Secretary of the Endowment.

The week in Paris was given over to the preparation of material. Only by the diligence and devotion of Dr. Scott, generously aided by Dr. Alejandro Alvarez of Chile, Secretary-General of the American Institute of International Law, was it possible in the short time to prepare articles and information essential for the journey.

Drafts of articles were prepared in English and French descriptive of the formation, work and purposes of the Carnegie Endowment and of some of the activities and movements in which it is interested, such as the American Institute of International Law, the Academy of International Law at The Hague, the Third Hague Conference, the Permanent Court of Arbitration at The Hague.

Through the kindness of Dr. Scott we were supplied with many printed pamphlets intended for our own information and for distribution among our friends in South America. Among these papers were:

Institut Américain de Droit International;

Projet de Statuts, for aid in the formation of national Societies of International Law;

La Transformation de l'Arbitrage en Sentence Judiciare, par James Brown Scott;

Le Mouvement Pacifique, par James Brown Scott ;

Discours d'Ouverture du XX<sup>e</sup> Congrès Universel de la Paix, par J. de Louter ;

From Baron d'Estournelles de Constant, who was absent from Paris, we received pamphlets descriptive of the work of the Association for International Conciliation, together with replicas in bronze of the medal of the Association.

M. Gabriel Hanotaux, former Minister of Foreign Affairs of France and president of the Comité France-Amérique, returned from the country to Paris in order to render his invaluable service, and I was his guest at a luncheon where he warmly wished me success upon my mission to South America. M. Hanotaux further testified his cordial interest by writing articles on the objects of my journey, which were published in the *Figaro* and in the *Revue France-Amérique*.

From Paris we went to Lisbon, leaving there September 23rd, 1913, on the Royal Mail Packet Steamship *Araguaya*. Our party consisted of Judge Otto Schoenrich, President of the Nicaraguan Mixed Claims Commission, and Mrs. Schoenrich, Mr. W. R. Hereford, my wife and daughter and myself.

Although the voyage to Rio occupies a fortnight, one is never out of sight of land for longer than five days consecutively. Frequent stops relieve the journey of any possibility of monotony. Our ship put in at Funchal, on the picturesque island of Madeira, and at St. Vincent, the chief port of the Cape Verde islands, before we reached the coast of Brazil. The first port of call in South America was Pernambuco or El Recife, to give it the native name, a prosperous commercial city where extensive improvements are under way to permit vessels of deeper draft to come into the harbor. Our vessel remained at anchor in the roadstead, disembarking passengers by means of a basket swung upon a crane, and unloading freight into lighters, tasks rendered difficult by the swift tide and heavy swell which are constant at this point.

We gained our first impression of the activity of modern Brazil at Bahia where the members of our party went ashore. In the city, which is the third in size in Brazil and a principal mart for sugar and cotton, there were everywhere evidences of the energy that is transforming these Brazilian capitals into modern cities. Streets were torn up; old houses were being demolished; new and imposing buildings were taking their places; street-car lines were being built or improved. Apparently expense was but little considered in the desire for improvement. Bahia is a revelation to travelers from Northern climes who are wont to regard the people of the tropics as lacking in energy and too content with an easy existence to suffer change.

### In Rio de Janeiro

Our first view of Rio was such as to stamp it forever on the memories of all of us. It is probable that no one can enter that wonderful harbor without

receiving impressions which cannot be effaced, but it was our good fortune to pass through the narrow entrance just after sunset and to come to anchor in the circular bay when the myriad lights of the city were shining, outlining the broad arc of the shore and extending from the water's edge to the heights behind the city. A full moon revealed the high dark mountains of curious shapes which encircled us, with the dome-like rock, the Sugar Loaf, which is beloved of every "Fluminense," rising sheer from the deep waters only a few hundred yards away.

Early the next morning we were met on board by Mr. Butler Wright, first secretary of the American Embassy, and Senhor Helio Lobo, of the Foreign Office, who in the name of the Minister of Foreign Affairs, Dr. Lauro Muller, extended an official welcome to us. I had the honor, an hour later, to be received by Dr. Lauro Muller, who was most cordial in his expression of interest in the Endowment. He had but recently returned from his official visit to the United States and spoke feelingly of the reception that had been accorded him there and of his desire to lend his support to an undertaking which had in view the promotion of friendly relations between our two countries.

Dr. Muller gave further evidence of his genuine interest in the success of my mission by delegating to assist me Senhor de Oliveira Lima, upon whose valuable good offices I constantly depended throughout my stay in Rio. It would have been difficult if not impossible to have found any one more thoroughly qualified than Senhor de Oliveira Lima. His long and distinguished diplomatic service in Europe has made him familiar with many of the activities in which the Endowment is interested and to this is added a thorough, scientific knowledge of the relations between Brazil and the United States. His recent valuable essay on that subject is familiar to those who receive the pamphlets of the Association for International Conciliation. Senhor de Oliveira Lima's many friendships in the United States, his well-remembered lectures in this country and his command of English and French all helped to fit him peculiarly for the invaluable services to the Endowment which he rendered with the utmost good-will.

Calls were made on the day of our arrival upon Senhor Ruy Barbosa, Dr. Amaro Cavalcanti and other leaders of public opinion in Brazil. It is impossible to exaggerate the sense of encouragement I experienced because of the interest manifested by these men who were so thoroughly representative of the statesmanship of their country. Elsewhere I have spoken of their valuable aid and I shall have occasion later to refer to it more particularly.

During my stay in Rio de Janeiro I was the guest of the American Ambassador, Mr. Edwin V. Morgan, who was indefatigable in his efforts to afford me opportunities to explain the methods and purposes of the Endowment.

It was at the American Embassy that the first public address on the objects of my visit was made. The Ambassador had invited about a hundred men prom-

inent in the intellectual life of Brazil. Just before this meeting a committee of the Historical Institute of Brazil, of which Count de Affonso Celso is the distinguished president, and which is one of the oldest learned societies in America, welcomed me in the name of the Institute. Senhor de Oliveira Lima, who acted as the spokesman of the committee made a brief address in English pledging the support of the Institute to the cause of international friendship.

At the larger meeting where I was introduced by Senhor de Oliveira Lima in an address of the most cordial sympathy, it was a very great pleasure to explain the purposes of the Trustees to men whose influence was so powerful in the affairs of Brazil, for the audience was made up of leaders of the Republic in many branches of intellectual endeavor.

The lively interest which, from the start, was manifested in the Endowment was shown in the gratifying request of the Minister of Foreign Affairs and others who were present, that a more detailed address upon the same theme be delivered before a larger audience, and, in spite of the short time of our stay in Rio, they were able to arrange for the second day following, at the National Library, a meeting which was held under the combined auspices of the Brazilian Academy and the Institute of the Order of Advocates. I was introduced by Senhor Ruy Barbosa. The prominent place occupied in Brazil by Senhor Ruy Barbosa, his conspicuous service at the Second Hague Peace Conference and his recognized authority might warrant us in considering him upon this occasion as the spokesman of his country. In an address of exceptional brilliance and eloquence, in which he paid high tribute to Mr. Root and Dr. Scott, he expressed his appreciation of and deep sympathy with the humanitarian work upon which the trustees of the Endowment are engaged. After his sympathetic introduction it was a highly esteemed privilege to explain to the distinguished audience which filled the large hall of the Public Library, the ideals of the Endowment and the practical methods by which it seeks to attain its aims.

At a tea given for us by the Argentine Minister, Dr. Lucas Ayarragaray, and Señora Ayarragaray at the Argentine legation and on another afternoon when we had tea with Señor Alfredo Irarrazabal, the Chilean Minister, at Pão d'Assucar, we had the pleasure of meeting the members of the diplomatic corps and many residents of Rio. We dined one evening with Señor and Señora de Figueiredo, and there had been a dinner with Mr. Percival Farquhar, a luncheon with our Consul General, Mr. Lay, and Mrs. Lay, and luncheons, dinners and a dance at the Embassy so that, notwithstanding the shortness of our stay, we made many delightful acquaintances and saw not a little of the society of the Brazilian capital, carrying away with us the lasting impression of its culture and charm.

On the day before the meeting at the Library, Dr. Lauro Muller gave a luncheon for me in the Itamaraty Palace where the Foreign Office is installed, a palace of exquisite charm and possessing a remarkable library. There were a score of guests at the luncheon, principally Brazilian diplomats and jurists.

In the afternoon I had the honor of an audience with the President of Brazil, Marshal Hermes da Fonseca.

The intervals between these occasions, when not occupied in the preparation of addresses, had been devoted to talks with Senhores Ruy Barbosa, Amaro Cavalcanti, president of the Supreme Court, J. C. de Souza Bandeira, Oliveira Lima and others, who with unflinching courtesy gave their time and thought to the subject of the formation of a national society of international law and, at the instance of the Minister of Foreign Affairs, undertook its organization.

For the society of conciliation, to be affiliated with the parent society in Paris and the society in New York, we were extremely fortunate in obtaining the consent of Dr. Helio Lobo, of the Foreign Office, to act as Honorary Secretary. His acceptance of this position was immediately telegraphed to the Director of the Division of Intercourse and Education, Dr. Butler, in order that the organization of the branch society in Rio de Janeiro might be begun without delay.

Papers which had been prepared for distribution and as the basis for interviews or articles in newspapers and reviews and which we had printed in Rio in pamphlet form, were as follows:

(a) In French, a draft of an address on the objects of the Endowment and of the mission.

(b) In Spanish, a draft of an address on the objects of the mission.

(c) In Spanish, a draft of an address on the American Institute of International Law and National Societies of International Law.

(d) In Spanish, a draft of an address on the Association for International Conciliation.

(e) In Spanish, a draft of an address on the proposed Academy of International Law at The Hague.

(f) In Spanish, a draft of an address on National Committees for the next Hague Conference.

(g) In Spanish, a draft of an address on the Division of Economics and History and the mission of Professor Kinley.

(h) In Spanish, a draft of an address on the proposed International Court of Justice.

(i) In Spanish, notes on the organization and objects of the Carnegie Endowment for International Peace.

The newspapers of Rio without exception had evinced the greatest interest in the objects of my visit, printing daily long articles with pictures and conspicuous headlines, all startlingly reminiscent of the enterprise and ingenuity of our newspapers at home, with the difference, however, which I am constrained to point out in the interest of general information, that the newspapers throughout South

America display a carefulness and accuracy to which we, unfortunately, are not always accustomed, and essay to interest their readers in the ideas of men rather than in their personalities. Copies of the principal newspaper articles referring to our visits in Brazil, the Argentine, Uruguay, Chile and Peru, have been collected.

On the day we left Rio I had the pleasure of meeting again Dr. Rodriguez, the distinguished editor of the *Jornal do Commercio*, who had until that morning been absent from the capital. He was most responsive and told me that he intended to publish in the *Commercio* articles descriptive of the work of the Endowment, in which he was much interested.

Our visit to Rio was limited to four days. It is, of course, unlikely that in such a short period opinions worthy of record could be formed of the people or of the political or economic conditions of the country, but the first impressions of travellers generally have at least the value of sharp definition.

Of the beauty of the capital there could, of course, be no difference of opinion. The wonderful sanitary condition of Rio is most striking. It seems impossible that it should once have been a lurking place for deadly fevers. To-day the city is scrupulously clean; the streets are so well cared for that a torn-up thoroughfare is a rarity. Pestilential disease has disappeared and the mortality rate is one of the lowest in the world. So salubrious is Rio that most of the residents now remain in the capital during the hot months of December, January and February instead of fleeing to the mountains as they used to do.

The impression we all got and which I think any one must receive in even the briefest visit, was of a city and country and people for whom the future is big with promise. The vastness of the territory and its inestimable wealth stimulate the imagination.

The people are energetic and patriotic. They are by nature and by tradition courteous and hospitable and give expression freely to the sentiments of friendship they entertain for the United States. Surely the hospitality shown to our party could not have been more cordial or delightful. In leaving Rio we parted with regret from those acquaintances whom we had learned, in a few days, to regard as friends.

### In Argentina

The journey by sea from Rio de Janeiro to Buenos Aires occupies four days. Very recently the railroad to the South has been opened so that it is now possible to go as far as Montevideo overland. Our Ambassador, Mr. Morgan, had just completed this trip and was enthusiastic over the interesting glimpses of Southern Brazil to be had from the car windows, but our plans to go to Buenos Aires by sea had been made in advance and could not well be changed.

We travelled on one of the new ships of the Royal Mail Steam Packet Company, the *Andes*, a large and well-equipped vessel of the type which the

growing trade and passenger traffic between Europe and South America has called into service.

Our ship did not put into the harbor of Montevideo but stopped in the open roadstead off the city long enough to permit passengers to disembark. Although it was ten o'clock at night when the *Andes* came to her dock in Buenos Aires, we found awaiting us Major Shipton, the Military Attaché from the Legation, a representative of the Foreign Office, Señor Barilari, who extended to us an official welcome, and several of our Argentine friends. With the members of my family I was driven to the house of Mr. John Work Garrett, the American Minister, with whom we stopped during our stay in Buenos Aires. Even at night, and despite the rain that was falling, the drive from the river to the Minister's house revealed unmistakable evidences of the great size and importance of the city of whose wonders we had heard so much. The comparison with Paris is not an effort of imagination nor the hyperbole of local pride. It suggests itself so naturally that it becomes unavoidable. We were all conscious again and again during our stay of the illusion that we were really not in the Argentine but in France.

The day after our arrival was taken up with conversations with Dr. Ernesto Bosch, the Minister of Foreign Affairs, Dr. Luis M. Drago, Dr. E. S. Zeballos and other leading Argentinians who very kindly gave me the benefit of their advice and lent their active support in furthering the work of the Endowment. In the afternoon I called on Dr. Bosch, and was presented by him to Dr. Victorino de la Plaza, the Vice-president, who has long occupied a prominent place in the affairs of the Argentine Nation. Dr. de la Plaza speaks English fluently and loses no occasion to express his friendship for the people of the United States. Two visits which he made several years ago to this country are still fresh in his recollection, and, since then, in his studies, he has so carefully followed our progress that he is thoroughly familiar with the development of our republic. It is his wish to visit again the United States and the benefit that our people would derive from the presence of a statesman so representative of his nation is apparent, but his official duties demand his presence in the Argentine for several years to come, so that the prospect of such a visit is, unfortunately, remote.

During the time that we were in Buenos Aires, Dr. Saenz Peña, the distinguished President of the Argentine Nation, was detained at his home in the country by a regrettable illness, so that I did not have the privilege of renewing an acquaintance with him begun in Paris.

In the afternoon of the day of our arrival, Dr. Ernesto Bosch and Señora Bosch, whom we had known in France at the time Dr. Bosch was the Argentine Minister there, and who were most kind in their hospitality to us throughout our stay in the Argentine, gave a reception for Mrs. Bacon and myself, where we had the pleasure of meeting many who were prominent in the diplomatic and social life of the capital.



In the evening I dined with Dr. E. S. Zeballos at his house. He had invited a most distinguished company of public men, diplomatists, jurists and educators, and they expressed a very lively interest in the work and purposes of the Endowment. There was a short speech of welcome by Dr. Zeballos to which I responded, referring to the declarations of Mr. Root during his memorable visit, as a doctrine of sympathy and understanding, of kindly consideration and honorable obligation. Mr. Root's visit in 1906 and his public utterances remain vividly impressed upon the minds of the leaders in the Argentine in no less degree than in Brazil and I was to find as I continued my journey that there existed everywhere I went the same warm sympathy for him and the same confident reliance upon the sincerity and potency of his friendship for our sister Republics to the South.

We had luncheon the next day at the German legation with our old friends, Baron and Baroness von dem Bussche.

Before leaving Rio I had been invited to address the Faculty of Law of the University of Buenos Aires, and the meeting was held that afternoon in one of the great halls of the University. There Dr. Drago presented me to an audience of several hundred men and women who, in spite of the somewhat technical nature of the subject, paid the closest attention. The address was substantially a combination of the two I had delivered in Rio de Janeiro, for it was quickly appreciated that the public preferred to hear a general description of the work and purposes of the Endowment rather than an address confined to any one of the activities which it encourages or supports.

In the evening at the chancellery of the American Legation, there was an informal gathering of alumni of universities in the United States, South Americans and North Americans, who were members of the University Club of Buenos Aires, of which our Minister, Mr. Garrett, was president. Toasts were made and responded to, expressive of greeting and good-will, as informal as the general character of the evening, of which no record was kept except in the memories of those who in this land so far south of the Equator, had foregathered fraternally, each drawn by the tie of an alma mater in a republic so far to the North. It gave one a pleasant sensation of optimism and security in the future friendship of our countries. One is inclined to underestimate the great good done by such social organizations as the University Club of Buenos Aires. They are really important factors in the relationship of countries and it is to be hoped when the proposed exchanges of professors and students are put into effect under the auspices of the Endowment that an effort will be made to organize similar societies wherever it may be practicable.

There will always remain in my memory the impression of visits which we made the next day to several of the public schools. While the ladies of our party, with Señora Rodriguez Larreta, the head of the admirably organized charities of Buenos Aires, one of the most efficient organizations of its kind in the world, visited hospitals and charitable institutions, obtaining a glimpse of

the generosity and devotion of the ladies of Buenos Aires, Mr. Garrett and I visited the public schools with Dr. Carlos Iburguren, Minister of Public Instruction, and Dr. Pedro Arata, President of the National Council of Education.

The public schools of Buenos Aires are models of which any country might be proud. They have aroused the admiration of such distinguished observers as James Bryce and M. Clemenceau. It has been stated that the Argentine spends more money upon the education of her children than any other country in the world with the single exception of Australia. One can easily believe that this is true if her schools generally have the excellence of those that we had the privilege of seeing. It makes a visitor from the United States proud to be reminded of the fact that the great Sarmiento, the founder of the Argentine's educational system, was a close personal friend of Horace Mann, and received his inspiration largely from that friendship.

Our limited time in Buenos Aires made anything like a thorough study of the educational condition of the Republic out of the question and any observations that I might make would be, necessarily, not much more than the reflected opinions of other travellers who have expressed them better, and of native historians who have dealt with the subject fully and authoritatively, but we saw enough to fill us with admiration. We found that English was generally taught and it left an indelible impression upon us to hear the national anthem of the United States sung in English by the pupils of their schools and to be greeted in our native tongue faultlessly by the girls and boys whom the others had selected to welcome us. Nothing, I think, could have touched us more deeply.

Señor Iburguren was our host later at the imposing Jockey Club at a luncheon where we met many men prominent in the affairs of the Republic. In the afternoon we visited the Hall of Congress, a marble building just completed and reminiscent, in its architectural beauty, of our own capitol at Washington.

To Señor Joaquin Anchorena, the Intendente of Buenos Aires, we are indebted for many kind attentions, among them a tour of the city the next morning, when we saw some of the magnificent new avenues and parks of the capital. We inspected the extensive underground railway which was just being completed and also went with Señor Anchorena, who is largely responsible for many of these great public works, to the model municipal farm, and there we had our first drink of *maté*, or Paraguayan tea, which, though scarcely known in Europe or in the United States, is a most important article of consumption in some of the Southern Republics, Argentina alone importing 43,161 tons of *maté* in 1909 from Brazil.

We had luncheon with the Vice-President, Dr. de la Plaza, at his house where he had gathered a score of public men and here, as upon other occasions, we found an eager interest in the work of the Endowment. Dr. de la Plaza made a short speech in which he expressed officially this interest and support, referring particularly to Mr. Root and employing the phrase in English which I had used at Dr. Zeballos' dinner in speaking of Root's doctrine.

The Vice-President's remarks were made without notes and, unfortunately, no verbatim record of them was obtainable.

The afternoon was taken up with many informal visits and in the evening we went to the house of Dr. Ezequiel Ramos Mejía, a former member of the Cabinet and one of the Argentine's foremost men, who, with his charming wife, was giving a reception for us.

We had luncheon the next day at the races with Señor Jorge Mitre, owner and director of *La Nación*, one of the large, active, important Argentine newspapers which are the marvels of the journalistic world. The day was an important one on the calendar of sport and the Vice-President and nearly all other officials of the government attended the races. The spectacle reminded one of the great days at Longchamps. Later, with Dr. Bermejo, Dr. Ibarguren and Dr. Aldao, I went to a Children's Congress, where hundreds of splendidly drilled school children engaged in gymnastic exercises. In the evening we took the steamer *Eleo* for Montevideo, Señor Barilari of the Foreign Office, Mr. Garrett, Major Shipton, Lieutenant Whitlock and other friends coming to the dock to bid us good-bye.

Enough has been written in this narrative account of our visit to Buenos Aires to indicate the extreme cordiality of our reception. The impression received in Brazil of the friendliness of the people of South America toward the United States was confirmed and strengthened in the Argentine. Despite the unofficial purpose and private character of our mission the newspapers devoted daily great space to describing all that we did, reproducing in full the addresses delivered and publishing long articles descriptive of the objects of the Endowment. The rather scientific nature of these articles, the lack of anything spectacular in the subject itself, induces the belief that the newspapers merely reflected the friendly interest of the public in the work the Trustees are seeking to accomplish.

This interest was notable among those with whom I had the opportunity to converse. I found a ready coöperation among the leading citizens and a strong committee was informally authorized by the Minister of Foreign Affairs for the purpose of organizing a national society of international law. This group of men included those whose advice had so greatly encouraged me: Dr. Antonio Bermejo, President of the Supreme Court, Dr. Eduardo Bidau, of the Faculty of Law of the University of Buenos Aires, Dr. Eufemio Uballes, Rector of the University of Buenos Aires, Dr. Luis M. Drago, Dr. E. S. Zeballos.

The organization of a national society for international conciliation was discussed and the men with whom I talked were thoroughly in accord with its purposes. Dr. Benjamin Garcia Victorica accepted the position of Honorary Secretary and was at once placed in communication with Dr. Butler. The work of organization will go on rapidly under Dr. Garcia Victorica's direction and the parent association of International Conciliation in Paris and the Association in New York will, I believe, find a valuable adjunct in the Society of Buenos Aires.

So much has been said of the truly marvelous development of the Argentine Republic, that my own testimony can add but little to our realization in the United States of Argentina's rapid progress and the important place it occupies among nations. Its recent history affords many striking parallels to our own and not a few of the problems which arise are the same as those with which we have had to deal or with which we are even now dealing. The immense natural resources of Argentina, which has an area of more than a million square miles or about one-third that of the United States proper, the virility and industry of its people and the learning, ability and patriotism of its public men leave no doubt of the future greatness of the Republic.

Signs point unmistakably to the increasing commerce between the Argentine and the United States and, what is more important still, to intimate intellectual relations. It is essential that a better understanding of each other by our two countries be brought about, and it is a happy augury for the future that, in seeking to do this, the Endowment will have its plans approved and furthered by those eminent Argentine leaders who are so largely responsible for the present advancement of their country.

### In Uruguay

The Rio de la Plata at Buenos Aires is really an arm of the sea, so that Montevideo, although "just across the river", from the Argentine city is distant 110 miles and the journey between the two capitals occupies about ten hours.

Awaiting the arrival of our steamer, we found Señor Fermin Carlos de Yerequi, of the Foreign Office of Uruguay, who welcomed us officially, and our Minister, Mr. Nicolay Grevstad, who, during the two days we remained in Uruguay, was most attentive and helpful. A committee of reception had been formed consisting of Dr. Pablo de María, President of the Supreme Court, Dr. Claudio Williman, Rector of the University of Montevideo and former President of Uruguay, Dr. Ildefonso García Lagos, President of the Uruguayan Central Committee of the American Peace Association, Dr. Julio Bastos, President of the Ateneo and Dr. Carlos M. Prando, and through their good offices and Mr. Grevstad's, I met the men of Uruguay whom I much desired to meet.

Montevideo is a much smaller city than Buenos Aires, about one-third or one-fourth the size, but it possesses all the dignity of a large and important capital, together with the individual charm that smaller cities often retain. There are wide, well-paved, well-lighted avenues, lined with attractive buildings and many interesting shops. The city is well equipped with modern electric street railways. Public squares and parks of exceeding beauty add to the charm of the place, which attracts many from Buenos Aires during the hot months. Close by are delightful resorts on the sea which are within easy access of the city and afford pleasant places for outing for the Montevideans. To the west

is the famous Cerro, a large cone-like hill, beloved by the people of the city, who often go there for the fine view to be obtained from its summit of the river and harbor with its moles and docks. The harbor, already an excellent one, though too small for the commerce of the port, is being extensively improved.

Our first morning was taken up with a visit to the Minister of Foreign Affairs, Señor Emilio Barbaroux, who presented me to several eminent educators and publicists, with whom I discussed the objects of my visit, asking for their coöperation, which they heartily gave.

We went to a luncheon given by the American Minister, at which there were about twenty distinguished residents of Montevideo. Mr. Grevstad delivered in Spanish a short address of welcome, to which I responded.

The afternoon was spent at the Foreign Office with Señor Barbaroux and several gentlemen he had invited to meet me there. We took up the question of a committee to organize a National Society of international law. All the gentlemen devoted themselves most earnestly to the discussion and agreed to serve on the committee which was then informally constituted and included: Señor Emilio Barbaroux, Minister of Foreign Affairs; Dr. Pablo de María, President of the Supreme Court; Dr. Ildefonso García Lagos, President of the Uruguayan Central Committee of the International Peace Association; Dr. Juan Zorilla de San Martín; Dr. José Pedro Varela; Dr. José Cremonessi and Dr. Daniel García Acevedo. This group, it was intended, should form the basis for the organization of a permanent society.

In the evening before a large and extremely sympathetic audience at the Ateneo, Dr. Juan Zorilla de San Martín, an orator of international reputation, delivered a brilliant address expressing the approval of Uruguayans of the work of the Carnegie Endowment, and entering more particularly into a laudatory description of the American Institute of International Law. It is a source of deep regret that no exact record of Señor San Martín's eloquent speech exists, as he spoke without notes and no stenographer was present, but in a letter just received, Mr. Grevstad, I am happy to say, gives the assurance that Señor San Martín, at my urgent request, will endeavor to write his valuable essay, reproducing the speech as nearly as his memory of it will permit. Following Señor San Martín's sympathetic introduction, I spoke for some time, explaining in detail the methods and purposes of the Endowment as I had explained them in Buenos Aires.

Nearly all of the next morning was spent at the Ministry of Foreign Affairs. Señor Barbaroux showed unflinching interest in the numerous topics mentioned in my letter of instructions and I cannot sufficiently express my deep gratitude to him. Our time in Montevideo was limited to a few hours. Unfortunately it had to be so. We should have greatly wished to stay longer, and the fact that we were able to accomplish what we did was due altogether to the aid of Señor Barbaroux and his friends and of Mr. Grevstad and the members of the Committee of Reception.

In the afternoon I had the honor of being presented to His Excellency, the President, Señor Batlle y Ordóñez, and was impressed in the necessarily brief audience by his forcefulness, the familiarity he showed with the subjects I had come to discuss and his friendliness toward the objects of my visit.

President Batlle lives a short distance from the capital and we drove from his beautiful estate back to the city and to the Prado, Montevideo's magnificent park, where a tea for us was in progress under the hospitable auspices of members of the American and English colony in Montevideo. From the tea I went to the house of Dr. Ildefonso García Lagos and shall always remember the charming half-hour's talk I had with him. Despite age and the infirmity of blindness, Dr. García Lagos who, in 1889, was a delegate to the first Pan-American Conference held in Washington, has continued to occupy himself with the broad, humanitarian international work in which he has for so long held a position of leadership. He had not stopped to think of personal convenience when Señor Barbaroux had invited him to meet with us at the Foreign Office, but had left his home to be present, and had given us the benefit of his experience and valuable advice.

That night there was a banquet given for us in the Uruguay Club by the Minister of Foreign Affairs where we met men and women who were leaders in the life of the capital. We heard many expressions of cordial sympathy with the objects of our visit and these were voiced officially in a short speech of the Minister of Foreign Affairs.

In order that we might have the opportunity to meet in this delightful way those whose acquaintance we so greatly desired to make, the steamship that was to take us back to Buenos Aires was delayed in starting for an hour or more and it was approaching midnight before we drove away from the Uruguay Club. The American Minister, members of the Reception Committee and Señor de Yérequi, of the Foreign Office, accompanied us to the steamer to take leave of us and to add by this last attention to the already deep sense of gratitude our hospitable welcome had inspired.

It seems to us little short of remarkable that in the two brief hurried days we were able to remain in Uruguay, we should have received impressions which remain fixed so clearly in our memories, but we can never forget our friendly reception nor can we adequately express our appreciation of the cordiality and hospitality that marked our visit to Montevideo. It would have been impossible for our hosts to do more than they did to testify to their interest.

Uruguay occupies such an honorable and important place among the nations of America that it is particularly gratifying to know that the Endowment has the approbation and support of its leading citizens in private and public life. Some one has well described Montevideo as the American Hague because of the many international Congresses and Conferences which are held there. A large number of these gatherings have in view the improvement of the present conditions of humanity. All that tends to uplift mankind, all that makes for

progress in the march of civilization, finds a cordial support in progressive Uruguay. More than one historian has pointed out that the majority of leaders in the world's advance have come from smaller nations. Uruguay, although the smallest in area of the South American republics, occupies a place of honor and consequence not dependent upon its size but upon the intelligence, advancement and patriotism of its people. Although the smallest of the nations of the Southern continent, it is as large as all New England with the state of New Jersey added and, as has been said, has not an acre of unfertile soil throughout its length and breadth. Commercially, materially, it is growing rapidly, sharing in the great prosperity and progress that has come in recent years to these republics of the South. There is every reason to believe, and it is a cause for congratulation, that the work of coöperation with the Endowment already begun in Uruguay will be continued with most gratifying results.

### In Chile

There was another busy day for us in Buenos Aires upon our return, a day in which every moment was occupied. There were interviews with the Minister of Foreign Affairs, Señor Bosch, and others who had manifested such a cordial interest in the objects of the Endowment, a visit under the personal guidance of Dr. Adolfo Mugica, Minister of Agriculture, to the Agricultural Museum, where we saw striking examples of some of those things which have made the Argentine such a great nation and, in the evening, there was a dinner at the Legation.

Early on the following morning we departed on the journey to the other side of the Continent, for which purpose the President had placed his private railway carriage at our disposal and the government had delegated Señor Cortázar of the Railway Service to accompany us. There were many of our friends at the station to say good-bye: Mr. Garrett, Major Shipton, the Military Attaché, Señor and Señora Bosch, Señor and Señora Green, Dr. Joaquin de Anchorena, Dr. Larrain, the Chilean Minister, Señor Barilari, of the Foreign Office, and many others who had done so much to make our stay in Buenos Aires a pleasure that will forever remain in our memories.

During all that day we travelled in a straight line to the west through a prairie land of wonderful richness, over which roamed great herds of cattle and horses. Seemingly boundless seas of wheat and alfalfa rolled away from us as far as the eye could reach. No one who has taken that journey across the pampas needs any further explanation of the prosperity that has so rapidly advanced the Argentine Republic to a leading place among the nations of the world.

We arrived at Mendoza in the foot-hills of the Andes soon after daybreak, and there changed to a special train on the narrow gauge road that climbs amid impressive mountain scenery to a height of nearly 10,500 feet. During the ascent we caught a glimpse of Aconcagua, the highest mountain in the western hemi-

sphere. Near the summit of the divide a tunnel has been cut through to the western slope, doing away with the mule-back journey of a few years ago. A good deal has been written of the hardships of this railway trip across the Andes, but none of our party experienced any discomfort. The descent on the Chilean side offers panoramas differing from those seen on the eastern side of the Cordilleras. The mountains are less barren and for that reason, perhaps, seem less rugged, although the descent was more precipitous than the ascent had been. The gorges are narrower and seem deeper, and as the train winds its way downward there are entrancing views, covering a wide range, and showing a country of great fertility.

A change was made at Los Andes to the broad gauge again and we continued our journey in a special car provided by the Chilean government. Mr. Harvey, our Chargé d'Affaires in Chile, joined the party soon afterward. We arrived in Santiago about half-past ten o'clock in the evening, but in spite of the lateness of the hour, a large delegation, including representatives of the Government and members of the Committee of Reception, was at the station to welcome us. After a pleasant moment of greeting in the train and on the station platform, we were driven to our hotel in state carriages which the President of the Republic had placed at our disposal.

The arrangements for our reception in Santiago had been placed in the hands of the following committee: Dr. Domingo Amunátegui, Rector of the University of Chile, Senator Joaquín Walker Martínez, Director of the Caja Hipotecaria, Dr. Luis Barros Borgoño, Dr. Antonio Huneeus, former Minister of Foreign Affairs, Señor Jorge Astaburuaga and Señor Julio Philippi.

The members of this committee were most attentive during the four days we remained in Santiago. They lost no opportunity to show us the many places of interest in their beautiful and picturesque city. Through them and through the efforts of the American Chargé d'Affaires, Mr. Harvey, I met leading citizens of Chile and talked over with them the work the Endowment wished to accomplish.

The first morning was devoted to a drive about the city in the company of members of the committee. Santiago is entirely distinctive in character. It possesses all the charm of an old Spanish city but its progressive, enlightened citizens have added to this charm of antiquity the comforts and improvements of modern capitals. Its situation is superb. High mountains rise close at hand enclosing the city in a frame of imposing proportions and exquisite coloring. In the clear atmosphere the mountains seem very near, but they give only the sense of protection without any oppressive feeling of restriction, of being shut in, such as one so often experiences in cities built near high mountains. The visitor, perhaps unconsciously, keeps ever in mind that longitudinal valley of incomparable richness and fertility in which Santiago lies, and which makes of this part of Chile a region that experienced travellers have regarded as one of the earth's most attractive garden spots.



It was an altogether charming and impressive glimpse that we got of the Chilean capital on that perfect October morning with the comfortable sun shining from a deep blue sky and a gentle but invigorating breeze blowing from the mountains. Such days, I am told, are a common experience in Santiago, where rarely does it become uncomfortably hot or uncomfortably cold. From the historic Cerro Santa Lucía we saw the city in panorama, a metropolis of half a million inhabitants with wide, straight avenues, large public buildings of pleasing architecture and statues and monuments worthy of the capital of a great and powerful nation.

In the afternoon I called upon the Minister of Foreign Affairs, Señor Enrique Villegas, and through his courtesy I had the honor of being presented to the President of Chile, Señor Barros Luco, who expressed a most sympathetic interest in the objects of my visit.

From the audience with the President we went directly to the University of Chile where, before a large gathering of representative men and women and many students of the University, I received a diploma, conferring honorary membership of the Faculty of Law and Political Science, which is their form of conferring an honorary degree. The Rector of the University, Dr. Domingo Amunátegui, made a brief speech of introduction, which was followed by an address of welcome delivered by Dr. Luis Barros Borgoño, Dean of the Faculty of Filosofía y Humanidades. In my reply, I followed closely the lines of the address delivered in Buenos Aires and Montevideo descriptive of the work and purposes of the Endowment and of the objects of my visit.

This was the first opportunity there had been on the west coast of South America of introducing to the public the work of the Endowment and asking coöperation, and I was anxious to compare the interest of the people with that which had been shown in the cities of the east coast. It is not possible for me to convey the gratification, encouragement and inspiration the manifestations of enthusiasm gave me, for it was at once evident that in Chile as in Argentina, Uruguay and Brazil, the Trustees would find zealous co-workers. I can never forget the scene as we left the hall with the students cheering as we passed and shouting their approval. Students at universities are pretty much alike the world over; if they disapprove, no forcing of their good opinion is possible; if they approve, there is no restraining of their expression. I was glad that the work of the Endowment had stirred their imagination and won their sympathy. It will mean much to the cause in the future, for tomorrow these young men will be the leaders to whom the Endowment must look for support.

The next morning there was another delightful ride about the city with Señor Huneeus and other members of the committee, followed by a luncheon at the Legation, and afterward we went to the races where the official and social life of the capital had gathered. There can be few more beautiful spots in the world than the grassy plain of the Santiago race course with the mountains rising just beyond. At a reception later at the house of Dr. Luis Barros Borgoño,

which the President attended, we had another delightful opportunity of getting to know better those whose cordial hospitality had already made us feel so welcome.

In the evening I went to a most interesting dinner given by the Minister of the Treasury, Señor Alessandri, at the Club de la Union.

To Señor and Señora Huneeus, whose hospitality and indefatigable attentions added so much to our enjoyment, and to Señor Urrutia and his charming wife, whom we had known in Washington, to Señor Astaburuaga and others we owe a debt which we can never repay. Largely through them we met, during our short stay in Santiago, many members of the old families, who give to the society of the Chilean capital the cosmopolitan culture for which it is noted throughout the world. Nothing could have given us more pleasure than to meet their friends. At a dinner and reception at the house of Señora Edwards and her son, Señor Augustin Edwards, Chilean Minister to the court of St. James, at an afternoon reception given for us by Señora Montt, widow of a distinguished president of Chile, and at the houses of other acquaintances, we were able to appreciate how thoroughly delightful life must be in this favored part of America, where, in beautiful surroundings and with climatic conditions as nearly perfect, perhaps, as can be found anywhere, a civilization exists which combines old Castilian charm with the progress and virility of the new world. Nor should I omit to mention among these very agreeable memories, how particularly pleased I was to meet Don Julio Foster, who, for most of his ninety years, has been a prominent figure in the life of Santiago.

The last two days of our stay in Santiago were largely given over to many conversations with Señor Huneeus, Señor Astaburuaga and other members of the committee and Señor Philippi, Señor Ricardo Montaner Bello, Dr. Amunátegui and others representative of the University, all of whom had so greatly aided me with their advice.

The formation of a committee was undertaken for the organization of a national society of international law. We were particularly fortunate in having the coöperation of prominent Chileans whose support left no room for doubt of the success of the undertaking: Señor Antonio Huneeus, former Minister of Foreign Affairs; Dr. Luis Barros Borgoño, Dean of the Law Faculty of the University of Chile; Dr. Amunátegui Solar, Rector of the University of Chile; Señor Ricardo Montaner Bello. Since my return to the United States I have had the pleasure of receiving an evidence of the activity of these eminent gentlemen in the form of a circular announcing the permanent organization of the national society.

All these experiences had been extremely gratifying, for those with whom I talked seized every occasion to express their entire approval of the Endowment's program and had demonstrated in a practical way their willingness to work together with the Trustees.

In the meantime the officials of the government had continued their kind attentions. There had been an interesting visit to the Military School, where

I had luncheon with the Minister of War, Señor Jorge Matte Gomaz, and met the chiefs of the army who are largely responsible for the efficiency of the Chilean soldiers, which has called forth the praise of authorities from many countries. We were fortunate in seeing a very fine drill. On the evening following we had the pleasure of attending a large dinner given by the Minister of Foreign Affairs, Señor Enrique Villegas, and followed by a ball at the Club Hipico.

We left Santiago for Valparaiso early in the morning on October 29th, in a special car which the Government had placed at our disposal. Mr. Harvey, Señor Huneus, Señor Lynch, representing the Foreign Office, and others were at the station to bid us farewell.

It had been our wish to remain long enough in Valparaiso to gain acquaintance with its leading citizens, but the limited time we could spend on the entire South American trip made this impossible. I did, however, find time to call upon the Municipal Intendente who had kindly sent his launch to take us out to the steamer.

We were met at the station by Captain Johnson, the American Naval Attaché, and Consul General Winslow, and had luncheon with them at the English Club, afterward driving to the heights overlooking the city. It is a tribute to the people of Valparaiso and to the Chilean character that their principal seaport which was almost destroyed by an earthquake in 1906 should have been built up again so quickly and better and more beautiful than it was before.

We left Valparaiso at four o'clock in the afternoon on the steamship *Oronsa* of the Pacific Steam Navigation Company, quite loth to depart from shores that had been so hospitable to us.

The Republic of Chile is keeping pace with the progress made by the great Republics of the east coast of South America. She has contended against difficulties considerably greater than those which have confronted her eastern sisters, for their closer proximity to Europe brought to them an earlier solution of the great South American problem of rail-and-water communication upon which the progress of every nation must largely depend. Traffic by sea between Chile and the countries of Europe has necessitated the long and arduous passage through the Magellan Straits or the difficult voyage around the Horn. Railway communication with the outside world has been confined until recently to that obtained by the passage of the Andes on mule-back, a journey impossible during several months in the year. The tunnel joining the Chilean and Argentine ends of the Trans-Andean railway, uniting a great trans-continental system of transportation, solved the land problem, and other trans-Andean railways are in contemplation or in actual course of construction, which will greatly increase these facilities. The problem of communication by water will be solved by the Panama Canal.

Even a brief visit to Chile is sufficient to impress one with the belief that the present prosperity it enjoys must rapidly increase. The natural conditions point convincingly to such a conclusion and the Chileans themselves are such a

virile, determined people, united in their love for their beautiful country and the desire to promote its development, that the future of Chile seems very bright. Surely we of the United States have every reason to hope that it will be so.

Ever since the birth of the Republic the welcome extended to foreigners has been in keeping with the hospitality for which the Spanish race is famed and this has resulted in a broad, cosmopolitan spirit, but, though the Chileans make the stranger welcome, no more sensitive or prouder people exists. They are not arrogant, but they have a proper patriotic pride in the achievements of their illustrious men and they are correspondingly quick to resent any action or attitude which is not in keeping with their high sense of personal and national dignity.

In the more intimate relations between the people of Chile and the people of this country which are sure to be brought about by the opening of the Panama Canal, it is well for us to remember these things, in order that we may not through thoughtlessness or ignorance give offense, but try in every way to cement the present bonds of friendship which bind us to our sister republic.

### In Peru

From Valparaiso to Callao and from Callao on northward until the Guayaquil River is reached, the steamer is never out of sight of land. The course follows the straight line of the shore, generally hugging it so closely that the surf can be seen breaking at the foot of the arid mountains. The higher summits to the eastward have robbed the winds of their moisture by the time they reach the coast, so that from the deck of the steamer the traveller looks upon a region as bleak and often as weirdly fantastic in contour as the landscapes Doré painted to illustrate Dante's verse. League upon league of land, destitute of all vegetation, is passed, but, despite its barrenness, the prospect is made interesting by the vividness of the coloring. In the changing lights of morning, noon and evening, one may see displayed upon the peaks and in the valleys all the colors of the spectrum, from red to violet, with the striking exception of green, which lack the tossing sea in the foreground supplies. For two thousand miles or more the ship sails under the lee of these hot, desert mountains which need only the touch of water to convert them into hanging gardens of tropical luxuriance.

We were told that storms along the coast were rare; almost unknown, the captain of our steamship informed us; so that the ships may with impunity hug the shore, for deep water is to be found within a few yards of the narrow stretch of beach which generally runs like a yellow ribbon at the foot of the mountains. A heavy swell is constant and at times causes the ship to roll uncomfortably, particularly when the vessel is at anchor, but, for the most part, the voyage along the western coast of South America resembles a yachting cruise more than the ocean trip to which Atlantic travellers are accustomed. The Humboldt current, sweeping up from the Antarctic, keeps the journey toward the Equator from becoming uncomfortably hot.

Sea-birds, flying-fishes and the larger inhabitants of the ocean, porpoises and whales, are companions of the voyage in sufficient numbers to divert the attention from the seemingly endless panorama of reddish mountain land. At times thousands of birds are to be seen in the air at once and occasionally a guano island is passed, literally covered with birds.

The *Oronsa* called at six ports between Valparaiso and Callao, anchoring in the open roadstead, for harbors are practically non-existent, while cargo or passengers were unloaded or taken on.

Coquimbo was our first stopping place, a small but important shipping port with good anchorage, a day's journey from Valparaiso. The next day we put in at Antofagasta which lies on the Tropic of Capricorn. It is the port of entry for Bolivia. To all of us it had been a source of deep regret that we did not have time to go to La Paz, but the distance of the Bolivian capital from the seaboard and the inability to arrange satisfactory steamship connection rendered a visit to La Paz impossible. From Antofagasta, a telegram was sent to our Minister in Bolivia, expressing the regret we felt in being at the port of La Paz, but unable to undertake the two days' journey over the mountains to the inland Republic, whose bright future must be the hope and expectation of all who are familiar with the difficulties she has already successfully overcome in her rapid recent development.

At Antofagasta a representative of the Intendente came aboard to give us an official welcome, and we received a visit from the United States Consular Agent. Our ship stopped also at Iquique, Arica, Arequipa and Mollendo, and we sent from Arequipa a message of greeting to those who have charge of Harvard University's observatory on El Misti.

The sun was setting when we arrived at Callao on November 3rd. It is an excellent harbor, by far the largest and best we had seen on the west coast, but as yet the ships do not come alongside the piers. A launch had been sent out for our party and we started ashore in it before the *Oronsa* had reached her regular anchorage. In the confusion incident upon this we failed to meet Mr. Pennoyer, our Secretary of Legation, Señor Germán Cisneros y Raygada, of the Foreign Office, who had come out to welcome us officially, and others who did not come aboard before we left; but we had the pleasure of seeing them soon after at the hotel in Lima and many other times subsequently, for they were untiring in their constant and valuable assistance during our stay in Peru. Though we missed Señor Cisneros and Mr. Pennoyer at the steamship, we had the pleasure of meeting Dr. Juan Bautista de Lavalle and other members of a committee who greeted us in the name of the Faculty of Law of the University of San Marcos. Great indeed, too, was our delight to meet again Señor Felipe Pardo, whom I had known in Washington when he was the Peruvian Minister there.

Lima is seven miles from Callao and we went there in one of the electric cars which run at frequent intervals between the port and the capital. The car

had been placed at our disposal, another mark of attention from the Government, whose friendliness was constantly manifested. The President, Señor Billinghurst, placed his own automobile under my orders during our entire stay in Lima.

It was dark when we arrived in the city, but our glimpses as we drove to the Hotel Maury from the station produced a most agreeable impression and this was subsequently confirmed and strengthened. The antiquity of Lima, the individual and picturesque character which it has so charmingly preserved, the romantic and brilliant part it has played in American history, all serve to attract the visitor, but, in addition, there are striking evidences of the modern spirit of progress which Lima shares with other South American capitals, and which render a visit to the Peruvian capital essential to any one who seeks a comprehensive acquaintance with the present conditions of our Southern neighbors. Wide streets, beautiful squares, crowded business thoroughfares, attractive residential districts, all testify to the social and commercial importance of the city.

Peru has had to contend against great difficulties. Her remoteness from Europe and from the United States has served to isolate her, but that day has passed or is rapidly passing. In the extent and variety of her natural resources few nations of the world are so rich and the time must soon come when these riches will bring to her people a new era of prosperity greater than any they have enjoyed in the past. To one whose acquaintance with the Republic is confined to a brief visit and much reading, this development would seem to be inevitable.

On the day following our arrival in Lima, I called upon the American Minister, Mr. Benton McMillin, in the morning and in the afternoon upon the Minister of Foreign Affairs, Señor Tudela y Varela, through whose courtesy I was presented to the President, Señor Billinghurst. The President's reception was extremely cordial. He spoke English perfectly, and showed a deep knowledge of the affairs of the United States. In the objects of my visit and the work of the Endowment he manifested a most friendly interest.

Upon returning to the hotel I found that many persons had called and the visits continued after my arrival. Dr. Lizardo Alzamora, Rector of the University of San Marcos and Dr. Eleodoro Romero, Dean of the Faculty of Law, were among those who took this early opportunity to promise their coöperation in the objects for the accomplishment of which the Endowment had instructed me to visit Peru.

The next day was taken up entirely with visits. I found the most friendly interest everywhere and the warm hospitality of every one, the sincere desire to be of service, made us all quickly feel that in heart at least, we were not strangers. The leading men gave me freely the benefit of their invaluable advice, devoting their time with the utmost willingness. I can never sufficiently thank them. Were I merely to mention the names of those to whom I am indebted, the list would fill several pages and even then be incomplete, but elsewhere I have taken occasion to express my gratitude to a few of those whose services so conspicuously helped me.

In the evening we met new acquaintances and renewed others at a dinner and reception which Señor and Señora Felipe Pardo gave for Mrs. Bacon and myself.

I had an opportunity the next afternoon to explain to a distinguished gathering the methods and purposes of the Endowment. The University of San Marcos conferred upon me honorary membership in the Faculty of Jurisprudence, and the ceremony was made the occasion for an address by Dr. Eleodoro Romero, Dean of the Faculty, who presented me with a diploma and the medal of the corporation. In my response I described in detail, as requested by members of the Faculty, the work of the Endowment, following the lines of previous addresses. I cannot leave this subject without expressing the gratification it gave me to receive this honor and to have the privilege of speaking at the oldest seat of learning on the American Continent. It must fill any American with pride and reverence to enter the beautiful patio of the University, climb the ancient stone stairway to the wide verandas and visit the great halls with the portraits of rectors of the University from the time of its foundation in 1551, looking down from the walls. Through centuries of great stress, through war and revolution and untold hardships, earnest teachers and students of San Marcos have kept brightly burning the first lamp of learning lighted in the new world.

From the University we went to the American Legation, where the Minister and Mrs. McMillin were giving us a charming garden party.

There were further interviews the day following with Dr. Manuel M. Menones, Dr. Manzanilla, Dr. Maúrtua, Dr. J. A. de Lavallo of the Supreme Court and his son, Dr. Juan Bautista de Lavallo and with others, interspersed by visits from Señor Pardo, Professor Wiese, who had met us at the steamer, Dr. Julio Tello, a Peruvian who graduated from Harvard in 1909 and who is now Curator of the National Museum, Señor Cisneros, Mr. Pennoyer and a host of others, who had seized every opportunity to render their valuable services. I had a most enjoyable talk with Dr. Ramon Ribeyro, one of the finest of the elder statesmen of Peru, who has long been prominent in the intellectual life of the Republic, and who readily gave me the benefit of his advice and great experience.

In the afternoon the University Club gave me a reception at which brief speeches were made by the President, Señor Luis G. Rivera, and others. In the evening there was a large banquet given by the Minister of Foreign Affairs and Señora Tudela y Varela. The Minister proposed a very gracious toast to which I responded.

The following morning we made an interesting visit to the Senate upon the invitation of General Eléspuru, President of the Senate. In the afternoon the Colegio de Abogados, or Bar Association, conferred upon me the honor of honorary membership, presenting me with a medal. I was introduced by the Acting Dean, Dr. Manuel F. Bellido, and in reply spoke on the subject of the

American Institute of International Law and the national Societies of International Law. Dr. Anibal Maúrtua followed with a discourse, after which there was the "copa de champaña," and many exchanges of friendly sentiments.

The Geographic Society also conferred honorary membership upon me and there was a short speech of presentation of the diploma by Señor José Balta, the President of the Society.

With extreme pleasure I look back upon the banquet offered in my honor by the University of San Marcos in the great hall of which I have already spoken. It was, as far as public entertainments were concerned, the occasion of our leave-taking of South America, and surely I could not have imagined any form of farewell which would have left in our minds more appreciative recollection. The informality, the cordiality, the good-humor and the good friendship of the occasion all served to make it memorable. Dr. Romero and Dr. Javier Prado y Ugarteche made delightful informal speeches, in reply to which I found it difficult to express the gratitude I felt.

The two days before our departure on November 11th, were devoted to visits and to organizing the work that was to be done. A very strong committee was got together as a basis for the permanent organization of a national Society of International Law. Its membership included:

- Dr. Francisco Tudela y Varela, Minister of Foreign Affairs;
- Dr. Lizardo Alzamora, Rector of the University of San Marcos;
- Dr. Ramon Ribeyro;
- Dr. Javier Prado y Ugarteche, Senator, member of the Faculty of the University;
- Dr. Eleodoro Romero, Dean of the Faculty of Law;
- Dr. José Matías Manzanilla, member of the Faculty of the University;
- Dr. Adolfo Villagarcía;
- Dr. Antonio Miró Quesada, editor of *El Comercio*;
- Dr. Alberto Ulloa, editor of *La Prensa*;
- Dr. Anibal Maúrtua, member of the Faculty of Law;
- Dr. Victor Andrés Belaunde, Professor of International Law;
- Dr. Juan Bautista de Lavalle, member of the Faculty of Law.

For the position of Honorary Secretary of a national Society for International Conciliation we were fortunate in obtaining the acceptance of Dr. Juan Bautista de Lavalle, member of the Faculty of Law of the University of San Marcos.

I had the privilege of attending on the last day of our stay in Lima, the opening session of the Latin-American and Pan-American Medical Congress. Many of the delegates to this Congress had been in Lima throughout the period of our visit, some having come from the South with us on the *Oronsa*, and I had had many interesting conversations with Dr. Odriozola, the President of the Congress, Dr. Domingo Cabred, of the Argentine delegation,



Dr. Gregorio Amunátegui Solar, of Chile, Dr. Nascimento Gurgel and Dr. Plácido Barbosa, of Brazil, and others.

It would have been difficult if not impossible to find a body of men more thoroughly representative of Latin-American thought and culture than this body of scientists, who, in a practical manner, were devoting their lives to a humanitarian purpose and by international gatherings, such as that which, before a distinguished audience including President Billinghamurst, was convened in Lima on November 10th, were contributing so effectively to the better understanding between nations.

So greatly impressed had I been with the fact that these eminent leaders in their profession were achieving in their work some of the objects for which the Endowment was founded, that I took the liberty of suggesting to some of their members the possibility of sending delegates from the Congress to visit the United States under the auspices of the Endowment. The suggestion met with ready approval and it is a source of deep gratification to me that the Trustees have also acted favorably upon the proposal. It is not necessary to dwell upon the importance of such visits and the great good that must surely result from them.

Our visit to Lima had been of longer duration than any other visit we had made in South America, and this fact afforded to some of our party the opportunity for sight-seeing. One day had been devoted to an inspection of Inca mounds near the city, a highly interesting excursion, taken under the personal guidance of Professor Carlos Wiesse, who had been most attentive. On another day some of us had taken an excursion over the Central Railway into the mountains on the way to Cerro de Pasco, and were afforded an excellent opportunity of inspecting this truly wonderful example of mountain railway engineering which had sprung a half a century ago from the brain of an engineer from the United States, Henry Meiggs.

The nine days we were in the Peruvian capital are crowded with souvenirs of the kindness of its charming people. There were frequent visits to the houses of members of the old society, the oldest, I believe, on the American continent, where Spanish traditions of hospitality were first transplanted in the new world. To Señor and Señora de Barreda, the parents of Señora Felipe Pardo, who, with her husband, did so much for us while we were in Lima, we shall always be deeply indebted and there are memories of other delightful visits; of an afternoon at the historic Casa de Torre-Tagle, one of the finest examples of the ancient Spanish architecture in South America, where we had tea with members of the Ortiz de Zevallos family; of a tea at the house of Dr. Prado y Ugarteche, a luncheon with Señor Alvarez Calderon and Señora Alvarez Calderon de East and of other informal meetings with Peruvian acquaintances whom we quickly came to regard as friends.

When we left Lima for Callao a great number of our friends were at the station to bid us good-bye. Among them were the Minister of Foreign Affairs,

Señor Tudela y Varela; the Military representative of the President; Señor Cisneros; Mr. and Mrs. McMillin; Señor and Señora Felipe Pardo; Señor Alvarez Calderon; Dr. Alzamora; Dr. Romero; Dr. de Lavalle; Professor Carlos Wiese; Mr. Pennoyer and a great many others who had done so much to make our visit enjoyable.

We left Peru with a feeling of deepest gratitude for all the evidences of friendship we had seen and with a lively sense of regret that our enjoyable visit could not be prolonged. The cordiality, the real friendship which the countries we visited had expressed and shown for the United States was nowhere more marked than it had been in Lima, and the Trustees of the Endowment will have there a most effective support.

With the increased immigration which must, it would seem, naturally follow upon the opening of the Panama Canal, Peru will assume a more important place in American affairs. It is in this looking toward the future that one finds the greatest encouragement in the present fraternal attitude of its leaders of public opinion. Our intercourse must become daily more frequent and with it the clearer realization that here, close to the south of us, is a nation with ideals similar to our own, which, in spite of obstacles, is pushing steadily forward in the path of progress, and which never loses an opportunity of manifesting its friendliness toward the United States.

### In Panama

The Peruvian steamship, *Mantaro*, on which we journeyed northward, was a very comfortable ship, kept scrupulously clean. We put in at Salaverry, Pacasmayo, Eten and Payta, seeing on our way many evidences of the recent development of the mineral and oil lands near the coast.

We arrived in the Bay of Panama, a beautiful bay, flanked with wooded islands, on November 18th, and remained on board until the next day, when the quarantine period expired. The very sight of the city of Panama must inspire varied emotions in an American. Near here began, under the indomitable Pizarro, the conquest of the great countries we had just left. It was to this coast that he came with Balboa in that first journey across the isthmus, and it was here that he returned after defeat, which made him all the more determined to push on into the unknown lands to the south, the "ultimate dim Thule" of adventurous explorers. And now the city is the southern portal of that "bridge of water" which has been built by heroes of to-day not less indomitable than were Pizarro and his band of conquistadores. Once the starting place of expeditions which transformed a continent, Panama is now the scene of what has been called the last great transformation of the earth's arrangement left for man to undertake.

Colonel Goethals had sent out a launch for us with an aide who gave us our first real view of the canal, taking us as far as the Miraflores locks. Returning, we put ashore at Balboa, and went thence by train to Panama. This interesting excursion had been the cause of our missing the American Minister, Mr. William Jennings Price, the Secretary of the Legation, Mr. Wicker, and Señor Lefevre, Minister of Foreign Affairs, and other officials of the Panamanian Government, who had been to the landing stage at Panama to give us an official welcome. We had the pleasure of seeing them later at the hotel, and the next day with Mr. Price I paid a visit to Señor Lefevre, through whose courtesy, I had an audience with the President. We were in Panama only that day and a part of the next. I took the occasion, however, to talk with representative men and from them I learned that the Republic of Panama offers an excellent prospective field for some of the activities in which the Endowment is interested, but the immediate present was considered an inauspicious time in which to undertake the work. The approaching opening of the canal, the comparative newness of the Republic, and the many questions of internal organization and development all serve to occupy the public interest and it was considered advisable to postpone for the moment the discussion of other matters.

Señor Lefevre and Señor Estripeant, aide-de-camp of the President, were most attentive and I cannot sufficiently thank them or our Minister, Mr. Price, for their kindness.

After a final morning of sight-seeing and a luncheon at the home of Colonel Judson, who had taken us on a most interesting tour of inspection of the Gatun Locks, we sailed from Colon for New Orleans on November 20th, arriving there five days later.

It had been our desire to visit Venezuela and our itinerary had originally included Caracas, but we found, upon arrival at Panama, that the steamship connections with La Guayra were such that we would be unable to make the journey in the limited time at our disposal.

We expressed our regret in a letter to the American Minister at Caracas, and took the liberty of sending to him copies of the pamphlets we had distributed among representative South Americans, for the purpose of distribution among the leading men in Venezuela.

We arrived in New York on Thanksgiving day, November 27, 1913, just two months and four days after our departure from Lisbon. This mention of the time occupied by our long journey may be helpful in correcting the general impression in the United States that a visit to South America requires more time than is usually allotted to a summer's tour of Europe or a winter sojourn on the Mediterranean. It is difficult to imagine a tour of ten weeks more varied or more filled with interest. From a scenic standpoint the journey is of almost incomparable beauty, but the thought that must chiefly hold and thrill the visitor is that he is observing new races and new countries in the most interesting stages

of their evolution. These nations are destined to play a great part in the future, and it requires no strain upon the imagination to picture the vast unoccupied lands in the South American continent as the theatre of a new world development.

It is a duty we owe to ourselves, and one which the Endowment may well help our people to fulfill, to get into closer contact with our friends in South America. Almost surely, I believe, the travel between our countries will increase, and with this better knowledge of each other will come truer and more enduring friendships.

Respectfully Submitted,

ROBERT BACON.

March 15, 1914.

## *Interview in The New York Evening Post,*

DECEMBER 13, 1913

As the representative of the Carnegie Endowment for International Peace, Robert Bacon, ex-Secretary of State and ex-Ambassador to France, has just returned from a tour of Brazil, Argentina, Uruguay, Chile, and Peru. The journey was made for purposes connected with various activities in which the Endowment is interested. These include the formation of societies of international law which are to be affiliated with the American Institute of International Law, founded in 1912, and of which Elihu Root is the honorary president. Mr. Bacon's visit had also the object of organizing Associations of Conciliation and arranging for the interchange of visits of representative men between this country and South America and the exchange of professors and students of universities. By these means the Endowment hopes to establish closer relations between the nations of the Western Hemisphere.

"It is difficult to exaggerate," said Mr. Bacon to-day, "the manifestations of friendliness for the United States which were exhibited in every country. In spite of misrepresentations and misunderstandings, caused nearly always by our ignorance of the real conditions in South America, we have no truer friends anywhere in the world than in these sister republics of the same continent. They welcome every opportunity to testify their regard for us."

From this city Mr. Bacon went first to the Philippines by way of San Francisco and continued his journey westward through Japan, China, and Siberia, to Europe, sailing from Lisbon for Rio de Janeiro on September 23.

After visiting Brazil, Argentina, Uruguay, Chile, and Peru, he went from Lima to Panama, and returned to New York by way of New Orleans. In all he travelled about 35,000 miles. On his journey around the world he was accompanied by Mrs. Bacon and Miss Bacon. Otto Schoenrich, president of the Nicaraguan Mixed Claims Commission, and Mrs. Schoenrich, and W. R. Hereford joined the party in Paris for the South American tour.

### **Across the Andes by Rail**

In describing the purposes of his visit Mr. Bacon said:

"I went to South America with instructions from the President of the Endowment, Senator Elihu Root, regarding specific objects in connection with activities in which the Endowment is interested. From Rio de Janeiro we went next to Buenos Aires, crossing the Plata River to Montevideo; then returning to Buenos Aires, and proceeding to Santiago de Chile by the wonderful Trans-Andean Railway, a narrow-gauge road, which ascends to a height of 10,500 feet, passing near

some of the loftiest mountains of this hemisphere. From Santiago we went by steamer to Callao, the port for Lima, and thence by a comfortable Peruvian steamer to Panama."

Mr. Bacon thus explained the friendly reception he met with :

"The visit to South America made by Mr. Root in 1906, when he was Secretary of State, has had an enduring effect in bringing about a better understanding between the Latin republics and the United States. That visit is vividly remembered and constantly referred to in the speeches and writings of the brilliant representatives of public opinion throughout South America. To it, perhaps, more than to any other single circumstance is to be attributed the present attitude toward us ; for Mr. Root, as will be remembered, by his doctrine of sympathy and understanding, of kindly consideration and honorable obligation, was able to allay or eradicate the suspicion and distrust of our motives that had been slowly engendered.

"It is the belief of Mr. Root and his fellow trustees of the Carnegie Endowment that a great part of the misunderstandings between nations arises from a lack of knowledge of each other, a lack of knowledge of conditions and sentiments. The Endowment seeks by practical means to overcome this ignorance.

### Objects of the Visit

"The objects of my visit to South America included the formation of national societies of international law ; the organization of associations to be affiliated with the Association of International Conciliation in Paris, of which Baron d'Estournelles de Constant is the president and founder ; the arrangement for an exchange of visits of representative men from the Latin republics to the United States and from this country to South America, and for a similar exchange between the professors and students of their universities and our own.

"The Institute of International Law, founded in 1873, is composed of the most eminent juriconsults of Europe and America. The American Institute was founded a little more than a year ago with Senator Root as the honorary president and Dr. James Brown Scott as president. The aims and objects of each Institute are largely identical, but, as was asserted by the founders in the formal statement of the aims and objects of the American Institute, 'the part that treats of war is of secondary importance, as the proposers believe that the principles of international law are generally applicable and should be studied and developed so as to maintain the status of peace, which so fortunately exists between the American republics.'

"By the formation of these national societies, it is hoped to popularize the principles of law governing the relations of nations so that, in course of time, governments will be obliged by popular opinion to conduct themselves with due regard to such principles.

"Through this initiative of the Endowment national societies of international law have now been either actually formed or are in process of formation in Rio de Janeiro, Buenos Aires, Montevideo, Santiago de Chile, and Lima. They will be affiliated with the American Institute and their intercommunication through the Institute will afford a new and valuable means for the exchange of ideas between the leaders of opinion in North and South America.

"I also had the honor of explaining and inviting participation in the proposed Academy of International Law at The Hague, and of suggesting the necessity of the appointment of national committees for the discussion of contributions to the programme of the next Hague Peace Conference. The work of the Division of Economics and History of the Endowment was also explained.

"In no better way, perhaps, can an understanding of each other by the republics of America be accomplished than by an exchange of visits of representative men and an exchange of professors and students of universities.

"In scientific and professional life there is now such an international exchange constantly going on. Congresses of representative men from all over the world meet and reap immeasurable benefit from the exchange of ideas, and by these exchanges the nations, through their representative men, are drawn into a closer communion with each other, with a resultant better international understanding.

"Under the auspices of the Division of Intercourse and Education of the Endowment, of which Dr. Nicholas Murray Butler is the Director, Baron d'Estournelles de Constant, of France, the Baroness von Suttner, of Austria, and Professor Nitobe, of Japan, have already visited the United States, and President Eliot, of Harvard University, has visited India, China, and Japan, and Dr. Hamilton Wright Mabie has visited Japan.

"It is hoped in the near future to have visits from representative South Americans to the United States, and it is the purpose of the trustees of the Endowment to continue the exchange of visits thus begun.

"It is expected, also, to inaugurate an exchange of professors between South American universities and the universities of this country, and to arrange the details of an exchange that will include the students of universities."

Mr. Bacon spoke frankly of how the Endowment expected to achieve its ends and of the aid which will be accorded it by influential South Americans.

"Through these practical methods the Endowment is endeavoring to establish closer relations between nations," he explained. "It is not to be hoped that the results achieved will be immediately apparent. The very fact that persons impatiently expect visible evidences of the progress made has led to much of the pessimism and skepticism one encounters when discussing these subjects.

"As Mr. Root has pointed out: 'The trustees of the Endowment are fully aware that progress in the work which they have undertaken must necessarily be slow, and that its most substantial results must be far in the future. We are dealing with aptitudes and impulses firmly established in human nature through the development of thousands of years, and the utmost that any one generation

can hope to do is to promote the gradual change of standards of conduct. All estimates of such a work, and its results, must be in terms not of individual human life, but in terms of the long life of nations. Inconspicuous as are the immediate results, however, there can be no nobler object of human effort than to exercise an influence upon the tendencies of the race, so that it shall grow, however slowly, in the direction of civilization and humanity, and away from senseless brutality.'

"The leading men of South America are very far advanced in their understanding and appreciation of the good that must follow these international exchanges. The rapid, material development of their wonderful countries has in no way blunted their lofty idealism, and nowhere can there be found men more willing or more able to work together for a common, humanitarian purpose. All that is suggestive of social progress makes an immediate appeal to their sympathies."

Mr. Bacon had enthusiastic accounts of the condition of the countries which he visited, and the impression made upon him by their inexhaustible resources. He regarded immigration as a principal factor in their future.

### The Country of the Future

"In regard to the development which I observed, I cannot sufficiently impress its significance upon our own country," said Mr. Bacon. "Some of these republics are advancing so rapidly that each succeeding year will mark an important change. The people have been beset by obstacles greater than those that confronted our forefathers, and but little understood by us here, but, in spite of them, they have forged ahead until the civilization of their larger centres compares favorably with the older civilization of Europe.

"It must strike any one who visits South America that it is the country of the future. The natural resources are so vast that they may be said to be almost inexhaustible. Although so much has been written and spoken about this wealth, we have only the vaguest conception of it, and the part it must play in the history of civilization in the near future.

"The people come of sturdy stock. In this country, our people, because of their lack of knowledge, are apt to class Latin-America as a whole, but the racial and other differences between the peoples of the various republics are as great as the differences between the peoples of the various countries of Europe.

"As yet the countries of South America, even the larger countries like Brazil and the Argentine, are sparsely settled. Immigration has been checked by distance and the difficulties of travel, but these conditions are disappearing. The improved means of communication are bringing more and more people to their shores. German, English, French, Italians, and Japanese have been quick to realize the opportunities that await them there."

Travellers who contemplate visiting South America, Mr. Bacon says, will find adequate railway and steamship facilities, "There is," he said, "great and sub-



stantial benefit to be derived from an acquaintance with our South American neighbors, of whom too many of us are, unfortunately, profoundly ignorant. The representative men and women of these countries have all the charm and grace and intellectual culture for which the Latin races are famous. Their warm-hearted hospitality is proverbial. Personally, I shall never forget, nor can I adequately express my appreciation of, the kindness and courtesy of their welcome."

*Editorial from The American Journal of International Law,*

JANUARY, 1914

Last fall the Honorable Robert Bacon, formerly Secretary of State and Ambassador to France, undertook a journey to South America on a mission for the Carnegie Endowment for International Peace, "to secure the interest and sympathy of the leaders of opinion in the principal Latin-American Republics, in the various enterprises for the advancement of international peace which the Endowment is seeking to promote; and by means of personal intercourse and explanation to bring about practical coöperation" in these undertakings. With the exception of Mr. Root's official visit, as Secretary of State in 1906, no journey by a citizen of the United States has done quite so much to encourage and stimulate the development of cordial and helpful international relations between the republics of North and South America, as this memorable trip of Mr. Bacon. He visited Brazil, Argentina, Uruguay, Chile and Peru, being prevented by difficulties in arranging steamship and railroad connections from visiting the other countries as planned in his itinerary. In each country visited, Mr. Bacon was received with the utmost cordiality by the government, and officially entertained. The diplomatic representatives of the United States did everything in their power to render his stay in the capital cities effective of results; and prominent citizens representing all elements of the business, professional and social life vied with each other in imparting to his mission the dignity and significance which its importance bespoke. The University of Santiago gave him an honorary degree, as did also the University of Lima; and various scientific and legal societies elected him to honorary membership. His mission was everywhere welcomed sympathetically in the newspaper press, which fully reported his public addresses. The success of his mission was greatly promoted by his ability to address his audiences in the Spanish, Portuguese and French languages.

Mr. Bacon's more important addresses were delivered in Rio de Janeiro, under the auspices of the Brazilian Academy, the Institute of the Order of Advocates, and also at the American Embassy; in Montevideo at the Ateneo, under the auspices of the University; in Buenos Aires, before the Faculty of Law of the University; in Santiago, at the University of Chile; and in Lima, at the University of San Marcos and before the Colegio de Abogados.

In each of these addresses and in his numerous conferences with the government officials, with educators and distinguished citizens, Mr. Bacon directed attention to certain of the specific plans of the Endowment, one of the most important of these being the formation of national societies to be affiliated with the American Institute of International Law. In each country visited, com-

mittees were at once appointed to organize such societies, and in several of them the organization has already been effected. This feature of Mr. Bacon's work is of especial interest to the readers of this JOURNAL; and we may safely predict that as a result of it this promising institution will soon become an actual reality, establishing a new point of contact and a new bond of sympathy between the jurists and the statesmen of the northern and southern hemispheres. Both political circumstances and geographic situation have created new and special conditions, making possible understandings which, while not inconsistent with or antagonistic to the principles of European international law, permit agreements upon matters regarding which the rest of the world cannot yet agree. A distinguished professor of law at Padua stated the case concisely and completely, when he said that "the probable coöperation of two autonomous institutes is preferable to the practically impossible collaboration between dissimilar elements of the same association."

Mr. Bacon suggested the active participation of the several governments in the proposed Academy of International Law at The Hague, and we may anticipate the cordial acceptance by each of the formal invitation to this end. His suggestion that the Latin-American states appoint committees for the consideration of contributions to the program of the Third Hague Conference and the intercommunication of such committees among all the American countries, excited unusual interest, especially in Brazil, where it is expected that steps to this end will be taken at once. He was also most fortunate in his appeal for the organization of national branches of the Society for International Conciliation, to be affiliated with those in Paris and New York. In four of the countries visited competent and energetic organizing secretaries have already been appointed and are at work. While the South Americans have not taken kindly to peace societies, of the ordinary pacifist kind, they quickly respond to the principle upon which the Conciliation was founded, which looks to the friendly adjustment of international quarrels through arbitration and other similar methods.

Mr. Bacon discussed fully the plans of the Endowment for the exchange of visits of representative men between the two continents, and also the proposed exchange of professors and students. Each of these projects met with sympathetic response, and Mr. Bacon reports that the time is already ripe for the inauguration of the exchange of professors. One difficulty presents itself in the limited number of Latin-Americans who have a speaking knowledge of English, and on the other hand the equally limited number of North Americans who are familiar with Spanish. This difficulty in the way of closer intercourse between the two continents we are at length beginning to realize; it is a great mission of our higher educational institutions to gradually overcome it.

It thus appears that Mr. Bacon's mission to South America was most successful, in the sense that it is to bear immediate fruit. It was apparent to his

hosts that he came with no selfish purposes,—not to seek concessions, not to solicit business advantages, but upon an errand purely altruistic in the highest significance of the word. He carried a message of friendship and coöperation in a work which is not for the benefit of one country, but of all the Americas and all the world. He sowed the seeds of a new and finer international relationship, and the results of his trip can hardly fail to be the establishment of intellectual currents of sympathy, leading to a higher and nobler civilization.

## APPENDICES



## APPENDIX I

### *Paris*

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#### Luncheon of Mr. Gabriel Hanotaux,

PARIS, SEPTEMBER 19, 1913

[*Translation from The Figaro*]

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The staff of the Comité France-Amérique yesterday gave a luncheon to the president of the Comité France-Amérique, of New York, Mr. Robert Bacon, former Ambassador of the United States at Paris, and to Mr. Dandurand, Senator and president of the Comité France-Amérique in Canada, and Mrs. Dandurand.

Among those present were Mr. Gabriel Hanotaux, Mr. and Mrs. Boutroux, Mr. Klezkowski, Minister of France, etc.

Mr. Robert Bacon is passing through Paris on his way to South America, where he goes, as has been stated, on a mission for certain American international organizations, headed by Messrs. Elihu Root, Butler, Scott, etc.

Mr. Hanotaux addressed his guests in these words:

"It is a great pleasure for the Comité France-Amérique to welcome on the same occasion the two presidents of the Comité in North America; the activity shown in the United States and Canada by these two branches of the French Comité has produced important results this year; we can only say that the credit belongs to the two presidents who honor us with their presence.

"Mr. Robert Bacon goes to South America in the name of persons who are held in the highest esteem in the great republic of the United States, to lay the foundations for united efforts in the interest of international law, efforts that should be encouraged to the utmost for the benefit of mankind. This mission has an entirely practical character; it contemplates the establishment of enduring institutions by which the principles of harmonious and thoughtful understanding between peoples will be developed.

"Mr. Robert Bacon has not forgotten that only a little while ago he was the Ambassador of the United States at Paris, and it seemed to him that the intellectual relations between the South American republics and France are such that a preliminary visit to Paris would be of great service in bringing about the success of his undertaking.

"The disseminating power of the French language and of French thought, as he himself has said to me, is such that to seek inspiration from French institutions and French works appeared to be one of the first duties of his mission.

That is why he is with us today. We thank him for this faith which honors our country and which, we may hope, will facilitate his work among our friends in South America.

"In the hands of the eminent diplomat whose good will, intelligence and devotion have been esteemed by all Paris, and whose generosity has been felt by the Comité France-Amérique in particular, such a noble undertaking can not fail to succeed.

"Gentlemen, I raise my glass to our two colleagues and presidents and to the success of the journey of our excellent and distinguished friend, Mr. Robert Bacon."

Mr. Bacon replied in these words:

"My dear Mr. President:

"You have expressed my thought and explained the objects of my mission in phrases for which I can only thank you from the bottom of my heart. Yes, I wished to secure a hold on French thought before seeking to enter into the thought of South America. Your high praises and your encouragement belong to those who have prepared and directed my mission. This hour in particular, and so many other pleasant hours that I have had the good fortune to spend in Paris, I shall never forget during my journey.

"I drink to the prosperity of the work which you have founded, a work of such broad international scope: to the prosperity of the Comité France-Amérique."



## APPENDIX II

### *Brazil*

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#### Address of Dr. de Oliveira Lima,

BEFORE THE MEMBERS OF THE HISTORICAL INSTITUTE OF BRAZIL, AT THE AMERICAN EMBASSY,  
RIO DE JANEIRO, OCTOBER 8, 1913

#### *Excellency:*

The president of the Historical Institute, Count Affonso Celso, who succeeded Baron de Rio Branco in the post, appointed at our last meeting a committee of ten members to welcome you in this country in the name of that association, the oldest intellectual association of Brazil and possibly of South America.

We boast, indeed, of our three-quarters of century of existence, as we boast of the invaluable services rendered by several generations already of historians and searchers of documents, to the study of our past. The late Emperor of Brazil, Dom Pedro II., whose memory is as respected in the United States as it is cherished here, used to preside over our meetings and to guide our work.

You see that through the nature of our studies, as well as under the influence of such names as I have mentioned, the Historical Institute is a society of peace, just as much as the foundation which you are representing in our Southern continent. You are certainly peace in action, peace in movement, peace resting on the conscience of national responsibilities and international rights and duties. We are peace in theory, peace in feeling, peace in tradition, I dare even say, because the wars in America, especially in independent America, have been more wars for freedom than wars for ambition.

I do not say they have been exclusively so, as every portion of humanity carries with it faults and crimes, and this is why so much is being done to spread international respect and amity; but the fact is that we all have won our liberties through our will and are all trying to uphold them. Brazil under the Empire had two foreign wars, but both were made against foreign tyrannies and not against foreign peoples or nationalities.

By every reason, then, your mission appeals to our deepest sympathy and you may be sure to find in this country a congenial environment. The work of the Carnegie Endowment for International Peace is not yet well known by us here, but we shall soon be in heart with its purposes. The section of Latin America that we constitute strives for its development without hurting any legitimate aspirations of others.

Personally your name is familiar to us as a successful ambassador and Secretary of State; also as the friend and collaborator of Mr. Root, which means that you both have about politics and diplomacy a conception far above the common one. Politics must not be divorced from intellectualism; diplomacy is not to be simply materialistic, but a fight for noble ideals of juridical understanding, international friendship, and moral solidarity.

You will meet everywhere the sympathy due to your personality as you will feel that the United States are truly esteemed in Brazil. We trust your efforts for international conciliation and we are ready to help them as much as we admire and try to follow your lessons of untiring industry and civic education.

### Response of Mr. Bacon

[*Translation from the French*]

*Excellency, Gentlemen of the Historical Institute:*

I find no words in which to thank you from the bottom of my heart for your charming welcome and your kind expressions which have profoundly touched me.

I have come on behalf of the Carnegie Endowment for International Peace and I bring to you the affectionate greetings of its eminent President and your devoted friend, the Honorable Elihu Root, whom I love and whom you also love, I am sure. It is strikingly recalled to my mind that since his memorable visit to your country in 1906 and since the Hague Conference in 1907 there has been a great change, a wonderful progress in the development of international law, of the Law of Nations, in which the celebrated publicists of your country, the juriconsults of all Latin America, have taken an important part.

In the words of Dr. de Louter of the University of Utrecht, the noted publicist of Holland: "Latin America, which by its talent and the eloquence of its delegates somewhat surprised the diplomats of Europe at the Second Peace Conference, has since then shown an energy and resourcefulness at once humiliating and encouraging to those who have shown them the way. All who believe in peace founded on law can only applaud the vigorous workers on the other side of the ocean who are engaged in building the solid foundations of a structure of law instead of pursuing the ephemeral phantasies of fruitless good intentions."

Now, Mr. Root, who wishes soon to quit the life of active politics and devote his efforts chiefly to this cause, to the expansion of this structure, has very close to heart the promotion of certain definite activities of the Endowment.

I beg you to give these practical projects your serious consideration not only to strengthen the ties of friendship and solidarity between our two beloved countries, but for the sake of humanity and to advance and promote liberty and justice among the nations of the world."

### Remarks of Dr. de Oliveira Lima,

AT THE RECEPTION AT THE AMERICAN EMBASSY,  
RIO DE JANEIRO, OCTOBER 8, 1913

[*Translation from the Portuguese*]

The Ambassador of the United States of America has entrusted to me the very honorable duty of introducing to this Assembly of Brazilians, eminent for their knowledge and social position, our illustrious guest, Mr. Robert Bacon, former Secretary of State and lately Ambassador from his country to the French Republic, who is now devoting his energy, talent and experience to that most noble crusade, the Crusade of Peace.

You must not, however, expect a man of his attainments, his accomplishments and his breadth of mind, to confine himself to utopian ideas or flattering illusions. Mr. Bacon desires to see a triumphant peace accomplished rather through reason than through sentiment, that is, through the universal conscience, through the propagation of, and respect for, the principles of international law.

He will explain to you, with the conciseness and lucidity which have distinguished his political and social work, the aims (as varied as they are practicable) of his mission,—a mission which is most interesting and of great scope and which the Carnegie Endowment, in the interest of universal peace, has entrusted to his care and to his devotion with the conviction that throughout Latin America he will be listened to with respect and sympathy as voicing the sentiments of our friend and collaborator, Mr. Elihu Root, that distinguished statesman who has given us such sincere proof, during the tenure of his office as Secretary of State of the great Union, of his respect for the rights of other peoples and for the legal personality of other nationalities, whose noble aim it is to link the entire New World into one unfettered and imposing Union of culture.

### Response of Mr. Bacon

[*Translation from the Portuguese*]

I am sure, Gentlemen, that you will pardon me if, instead of speaking in my own language in acknowledgment of your kind expressions of welcome, which have moved me profoundly, I say a few words of thanks in your beautiful tongue, with the assurance that though these words may be poorly expressed, they come from my heart.

I know it must appear presumptuous for me to address you in Portuguese, but I must ask your kind indulgence for two reasons. First of all I must refer to the very high esteem I have always cherished for the noble Portuguese traditions, which but recently have been refreshed in my mind by my stay in Lisbon, whence I have just arrived. There, at the foot of the statue of the great Camões, I recalled the memory of that distinguished Brazilian, whose eloquent words

and writings first developed my sense of appreciation for the beauties of the "Lusiads" and the charm of the "Rimas." I refer to my illustrious and gentle friend, Joaquim Nabuco, sage, poet and statesman, whom I learned to know and love during an intimacy of four years in Washington and whom I was proud to call a friend.

Another reason that I offer as the inspiration for my addressing you in your beautiful language is that on the eve of my departure from the United States, at the banquet where I was able to greet my esteemed friend, your Ambassador, Mr. Domicio da Gama, I had the great pleasure to find myself seated at the side of your illustrious Minister of Foreign Affairs, His Excellency, Mr. Lauro Müller, who, with that gentleness and charm of manner so natural to your race and country, spoke to us in very good English. My compatriots will never forget the pleasure that the presence of Dr. Müller produced, nor the distinguished honor conferred upon us by your country when it appointed him to return the visit of our esteemed friend, Elihu Root. For us of the University of Harvard, it was especially gratifying to have him accept our diploma and thus become a member of our Harvard family.

I have the honor of having been sent to Brazil by the Carnegie Endowment for International Peace, of which Mr. Root is the heart and soul. The message that I bring from him is a message of good-will, which, as expressed by that eminent author and jurist, Dr. Ruy Barbosa, truly meets with the "sanction of American opinion," but it is particularly a message of regard and esteem from Elihu Root for his good friends here. This mission affords me greater pride and pleasure than any other entrusted to me during my entire life.

And how can I begin to express my feelings at the first sight of this wonderful city, the magic city of Rio de Janeiro? For, in spite of all that has been said or written about its beauty and its bewitching grandeur, it surpasses my most extravagant dreams. It is incomparable and I envy you the continual pleasure and inspiration, the force and courage that you must derive from it.

Again, Gentlemen, I assure you of my most profound gratitude for the cordial reception and the distinguished honor that you have accorded me.

*[Translation from the French]*

It is a very great pleasure to me to be permitted to visit, if only for a few days, far too short, some of the peoples and countries of South America, for it has been one of my most cherished dreams, which I have been able only partially to realize as yet, to see with my own eyes your wonderful countries, the marvels of your civilization, to meet again friends whom I have known and loved in other parts of the world,—to make other friendships which will add a new joy to life and fill me with memories which neither time nor distance can dim or efface. I come charged with a message of good-will from your devoted

friend and great admirer, Mr. Elihu Root, at whose request, anticipated by my own desire, I have the honor to appear before you. I wish I could say to you all that he would say were he here in person to address you and to greet you as an old friend. The expressions might differ, perhaps, but I assure you the spirit behind them would be one and the same.

The visit which you recently made to the United States, Mr. Minister, will have a lasting influence for good. We tried to show you the real feeling of welcome which was in our hearts. We have much to learn in the matter of courtesy and hospitality for which you Brazilians are so justly celebrated; but, as Senator Root has well said, the real feeling of welcome in the hearts of the people of the United States was worth much more than any demonstration the government of the United States could possibly make.

My mission for the Endowment has been referred to as a mission of friendship and good-will. That is very true and I am proud of it, but since ties of friendship already bind us, may we not go further than that?

For my part I should like it to be regarded as a mission of co-operation and mutual help among old friends with the object of discussing, studying and planning practical means whereby we can work together and march forward toward progress, toward the ideal of humanity, toward greater enlightenment, for the triumph of Right in the world, replacing resort to force by resort to justice; toward an international opinion which will have the true sanction of international law.

The people of our two Republics are idealists. Monsieur Hanotaux, former Minister of Foreign Affairs of France, said in a recent article: "At the Hague Conference it was the delegates of the South American Republics, notably those of Brazil, who advanced the strongest and most original ideas. They were absolutely in the forefront of human thought, a fact which merits consideration."

The noble words spoken by Mr. Root in 1906 at the Pan-American Conference represent the sentiments and the ideals of the people of the United States as truthfully and as forcefully today as when they were spoken seven years ago, for governments may change, but the sentiments of the people remain the same. I like to think of this memorable declaration as the "Root Doctrine"—*the doctrine of sympathy and understanding, of kindly consideration and honorable obligation*—and I am proud to be considered worthy to speak of it as a humble apostle.

I would like to have you look upon me as inaugurating a series of international visits which will follow each other without break and be mutually advantageous by bringing together accredited representatives of the life and thought of the Southland as well as of the North; and inviting you to co-operate in the establishment of international institutions which will, we hope, become centers of good-will, develop and popularize just and progressive principles of international law upon which international good relations must depend, and in

various ways, directly and indirectly, by an exchange of thought, an exchange of views and a happy combination of effort, result in strengthening the bonds of friendship which a common past, common institutions and a common goal urge and demand.

History and Nature have inspired and increased a deep feeling of solidarity, not only between the countries of Latin America, but also between the Republics of the South and the United States. It behooves us to maintain and strengthen this solidarity which, by reason of its two-fold origin, unites inseparably the nations of the new continent, in the past, in the present and in the future.

One need only glance at the political history of the New World to see the constant interest the United States has taken in the struggle of the Latin American nations, first to free themselves from the mother country and then to defend the independence they had won against all attempts at conquest on the part of European powers. Moreover we might briefly recall that, after the emancipation, the United States furnished the Latin states with the forms and basic principles of their political institutions, particularly of their republican and democratic government, precisely at a time when the ancient political institutions of Europe were far from responding to the ideas of liberty and to the social conditions of the two Americas.

All this glorious past in the history of the New World should strengthen day by day the indissoluble bonds which have united the American nations since the beginning of their political life.

Nature has added to the work of History. The geographical situation of the nations of the New World has brought into being a series of problems common to all the states of the continent, thereby creating among them new ties of solidarity. Thanks to the progress of civilization and the perfection of means of communication, we in America have come to see the imperious necessity of solving in a uniform manner problems arising out of situations and conditions peculiar to the New Continent.

Anticipating Europe in a way, whose great powers meet in conference only at the conclusion of wars to determine the conditions of peace, all the American states have met together in pacific conferences in order to discuss questions common to their continent—whence the name and origin of the Pan-American Conferences. These conferences have borne abundant fruit—a number of problems of interest to America have been studied; important treaties have been signed with a view to developing the social and intellectual life of the New World; and, finally, the representatives of the several American states have learned to know each other better and have come to appreciate how many and how strong are the ties which bind the American nations together.

The sentiments of solidarity and fraternity which unite the countries of the New World in a community of interests should create a work of union and concord. The way is already open; numerous and fruitful results have been obtained; the time has come, therefore, to establish, in ever increasing measure, good

understanding and harmony. Above all, it is necessary to correct the misunderstanding in the South of the political purposes of the United States. As Mr. Root solemnly declared when he was among you, the United States desires above all that peace and prosperity reign in Latin America, in order to strengthen and to tighten the bonds of friendship and of brotherhood which should unite all the American people.

I have the honor to address you not merely on my own account but on behalf of the Carnegie Endowment for International Peace, of which Senator Root is President, and to invite you in his name and on behalf of its Trustees to co-operate with it in such ways as you may deem possible and advisable.

In other words, the wish of Mr. Root is to enlist as fully as possible the sympathetic interest of the leaders of thought in South America in the various enterprises of the Endowment for the improvement of international relations, and to bring about their practical co-operation in that work. You are no doubt aware that there is in the hands of the Trustees of the Endowment a large fund, the income of which is to be devoted to these objects. The Trustees after consideration of the manner in which they should accomplish the purposes for which the Trust was established, drew up the following statement of specific objects to which the income of the Trust was to be devoted:

(a) To promote a thorough and scientific investigation and study of the causes of war and of the practical method to prevent and avoid it;

(b) To aid in the development of international law, and a general agreement on the rules thereof, and the acceptance of the same among nations;

(c) To diffuse information and to educate public opinion regarding the causes, nature and effect of war, and means for its prevention and avoidance;

(d) To establish a better understanding of international rights and duties, and a more perfect sense of international justice among the inhabitants of civilized countries;

(e) To cultivate friendly feelings between the inhabitants of different countries and to increase the knowledge and understanding of each other by the several nations;

(f) To promote a general acceptance of peaceable methods in the settlement of international disputes;

(g) To maintain, promote and assist such establishments, organizations, associations and agencies as shall be deemed necessary or useful in the accomplishment of the purposes of the corporation or any of them.

In order to carry out these objects the work of the Endowment has been apportioned among three Divisions:

The Division of Intercourse and Education, of which Dr. Nicholas Murray Butler, President of Columbia University, is Acting Director;

The Division of Economics and History, of which Dr. John Bates Clark is Director;

The Division of International Law, of which Dr. James Brown Scott, Secretary of the Endowment, is Director.

The different objects set forth above are appropriately assigned to these three Divisions.

It is the purpose of the Trustees not that the trust organization shall become itself a missionary seeking to preach the gospel of peace or directly to express its own ideas to the world, but rather to promote and advance in each country and in all countries, the organization and activity of national forces in favor of peace. It is not so much to add a new peace organization to those already existing in the world as it is to be a means of giving renewed vigor to all the activities which really tend in a practical way towards making peace more secure.

To aid each of the three divisions in its work an extensive and effective organization has been perfected in Europe as well as in the United States, including a great number of the most eminent and highly respected statesmen, publicists and leaders of modern thought.

The respect and friendship which the Trustees of the Endowment entertain for the peoples of Latin America and for the many distinguished Latin Americans with whom many of the Trustees have most agreeable relations of personal friendship, lead us to desire that the work of the Endowment may have the same active and useful co-operation in South America that it has already secured in Europe.

Let me quote verbatim a passage from the instructions given me by Mr. Root, instead of paraphrasing them as I have done more than once. "You will observe," he says, "that one of the means by which the Division of Intercourse and Education proposes to advance international good understanding is a series of international visits of representative men. Accordingly, under the auspices of the Division, directly or indirectly, Baron d'Estournelles de Constant of France, the Baroness von Suttner of Austria, and Professor Nitobe of Japan have already visited the United States, and President Eliot, of Harvard University, has visited India, China and Japan, and Dr. Hamilton Wright Mabie is now in Japan. Your visit to South America comes in this category, but it has a more definite and specific purpose than any of the other visits which I have enumerated or which are contemplated under the head I have mentioned, for it is not merely to strengthen good understanding by personal intercourse between a representative North American, and representative South Americans, but also to introduce to the representative South Americans personally the work and purposes and ideals of the Endowment, and to invite our friends in South America to cordial and sympathetic union with us in promoting the great work of the trust."

This is the spirit of good feeling and kindly sympathy which has inspired the mission, and I hardly need to assure you that it is the spirit in which I shall endeavor to carry it out.

The subjects which I am directed to lay before you—other than the general aims and purposes of the Endowment and the methods by which the Trustees are endeavoring to put them into effect—are :



1. The formation of National Societies of International Law to be affiliated with the American Institute of International Law;
2. The presentation to the different Governments of the countries which I have the honor to visit, of the opportunity to participate in the proposed Academy of International Law at The Hague by providing for the sending on the part of each Government of one or more representative students to that Academy, if organized;
3. The appointment of National Committees for the consideration of contributions to the program of the next Hague Conference, and for making arrangements for the inter-communication of such Committees among all American countries;
4. The establishment of National Societies for International Conciliation to be affiliated with the parent Association for International Conciliation at Paris;
5. To arrange for a systematic furnishing of data for the work of the Division of Economics and History in accordance with the program laid down at Berne by the Congress of Economists in the summer of 1911. In connection with this last subject I beg to remind you that Dr. Kinley, who has been appointed a member of the Committee of Research with special reference to South America, will shortly make a visit to this country to suggest specifically the things that can be done in aid of the researches of this Division, to ask the advice and counsel of leaders of opinion in South America, and to invite especially the economists and historians of these countries to co-operate, as far as they may deem it possible or advisable, in the execution of such projects concerning South America as they may recommend as proper for investigation and study.

Allow me to make a final quotation from Mr. Root:

"The trustees of the Endowment are fully aware that progress in the work which they have undertaken must necessarily be slow and that its most substantial results must be far in the future. We are dealing with aptitudes and impulses firmly established in human nature through the development of thousands of years, and the utmost that any one generation can hope to do is to promote the gradual change of standards of conduct. All estimates of such a work and its results must be in terms not of individual human life, but in terms of the long life of nations. Inconspicuous as are the immediate results, however, there can be no nobler object of human effort than to exercise an influence upon the tendencies of the race, so that it shall move, however slowly, in the direction of civilization and humanity and away from senseless brutality. It is to participate with us in this noble, though inconspicuous, work that we ask you to invite our friends in South America with the most unreserved and sincere assurances of our high consideration and warm regard."

The scientific development of international law which has always been one of Mr. Root's chief labors and to which he has devoted much of his genius, has shown remarkable progress. The second Conference at The Hague, as has been said, marked the greatest single step toward the just and peaceable regulation of inter-

national relations ever taken, with the possible exception of the step taken at the first Hague Conference.

The dreams of yesterday are the realities of today; the dreams of today become the realities of tomorrow. The dreams of Rolin-Jacquemyns, Lieber, Calvo, Rio Branco, Nabuco, and other inspired leaders are accomplished facts today; the spirit of their doctrines has now become a principle.

The Trustees of the Carnegie Endowment believe that this progress can be hastened by practical methods. They are convinced that the ideals of the great thinkers can be advanced more quickly to the benefit of the world, by concerted efforts in certain well-defined, practical directions. That is why I have come to solicit your invaluable support and co-operation.

I thank you again for your kind welcome.

### Address of Senator Ruy Barbosa,

AT THE RECEPTION AT THE NATIONAL LIBRARY,  
RIO DE JANEIRO, OCTOBER 10, 1913

[*Translation from the Portuguese*]

*Gentlemen:*

It is not my aim at this time to introduce our illustrious guest to you, for Mr. Robert Bacon has spent the past four days with us, and this has been ample to make us feel as if he were an old friend. In this worthy successor of Mr. Elihu Root will be at once recognized reflected, an image, dear to the hearts of Brazilians, of his master and predecessor in the office of Secretary of State, that eminent American whose policies were characterized by the advantages that have accrued both to this Continent and to his own. Whoever came in contact with him at once experienced that recognition of merit that is revealed by the light, the irradiating and penetrating light, which he calmly and without any effort diffuses around him.

The very first time we heard him, the day before yesterday, at the American Embassy, through the delightful hospitality of Mr. Morgan, the distinguished diplomat whose charm is irresistible, he surprised us with an address, the introduction to which was delivered in our own language fluently and correctly, with but slight trace of a foreign accent, as if he had long been accustomed to express himself in our tongue. With exquisite grace and without effort, inspired only by natural earnestness, he revealed to us those miracles of which courtesy and benevolence are capable in the mind of a son of that race of the United States, that in its type combines the virtues, aptitudes and talents of all others.

It is easy to see that a more fortunate selection could not have been made for the purpose of conveying to us from Mr. Root, Mr. James Brown Scott and all other friends of peace in North America, a message which our natures and our training cause us to receive with joy. To each one of these gentlemen I now respond, even though, of all those assembled here, I may be the least worthy. Existing circumstances confer upon me this privilege, requiring me as

the president of the Brazilian Academy and a member of the Bar Association, to reply in the name of those, who throughout the land are reading, thinking, writing and talking about this visit.

In the address, which you are about to hear, our generous friend is going to define the first fruits of one of the subjects that appeal more especially to our interests, and he will also discuss, to a limited extent, the preliminary work of the Third Peace Conference. This select assembly, meeting as it does in this center of public education, will doubtless listen with great eagerness to the results of the meditation and experience of the distinguished orator, regarding the preliminary work of an undertaking, the realization of which, we flatter ourselves, will prove one of the noblest accomplishments of our time.

Never has Brazilian sentiment interested itself so passionately in an international subject of a specific character as in that congress which, six years ago, convened in the ancient Hall of the Knights at The Hague, where delegates from every civilized nation of the world met and pledged themselves to weaken the dominion of war throughout the world. Not that we should boast of our humble part in the scenes enacted upon an arena having as its amphitheatre the entire world; but because the campaign that was waged there and which was of paramount importance, was conducted in the interest of right, with no other arms than those of intelligence, awakening in our conscience impulses which had not been accustomed to thrill us, and revealing, under that new influence, a sure response, of which there had been no indications in the moral instincts of our nation, as is true of all parts of Latin America, and we should be proud of the ideal that presided there in ancient Holland, as in the heart of justice, under the protection of her ancient traditions of independence and liberty over this second ecumenical council of peace.

Permit me to use this religious appellation that surges to my lips free of any flowery pretensions, as a natural expression of reverence, prompted by the character of the subject itself, a subject that is almost sacred and divine; a tribute to those aspirations that in themselves combine sufficient power to assemble the most distant and divergent members of the human family from all parts of the world to form a congress. It did not represent a church which claimed, with more or less justice, a universalism wherein the powers in general celebrated their catholicity, but rather the union of all churches, all confessions, all creeds, at a common altar of that supreme order of charity which, translated, signifies the abolition of armed conflict between the nations.

The spectacle presented of kings descending from their thrones to follow the wake of a star in search of the birthplace of Christ, was about to be repeated with a grandeur exceeding that event in a movement that joined the heads of armies with the arbiters of war in the interests of a humanitarian ideal of mankind, of brotherly love, making us feel that Heaven had sent us from Calvary a smiling future stretching from twenty centuries to incalculable ages to come. The emblem of Christianity that introduced its apostleship upon the battlefields

as the insignia of the "Red Cross" disclosed to the minds of the fratricides of war, a fraternal epoch that began to appear upon the horizon but which up to that time had been but an hallucination in the minds of dreamers, an age when all divers beliefs and sects should be merged into one body, united in a universal effort to realize the brotherhood of mankind.

When that idea first took form in the initial conference of 1899, the brilliancy of which was duplicated in 1907, a fact of high importance was not taken into consideration by Brazilian politics. In spite of the fact that our Government (and I do not believe that I am mistaken) was signally honored, as the only Government in all South America, with an invitation from the Chancellor at St. Petersburg, Brazil did not respond to the call that offered her a most enviable distinction. In his *Autobiography* Mr. Andrew D. White alludes to the surprise occasioned at The Hague by the indifference of our attitude, imputing that error to the carelessness of the new regime, adding that it was believed at that time that such an error would not have been committed by the Imperial Government. We could not have repeated such an act of thoughtlessness in 1907. because, in so far as the conference was open to all constituted governments, it would not be reasonable to assume that we should have proved the exception by our absence. Furthermore, at that time there was one at the head of the Foreign Department of our government, whose vigilant eye watched untiringly over our interests, in so far as they concerned our reputation abroad; one who had been trained in all important questions of international relations. But what palliates the error committed by us eight years before, is the fervor and interest manifested by public opinion among us over every echo coming from the second session, revealing the same degree of enthusiasm that animated their chosen representatives, consecrated to a mission so replete with mishaps, trials and regrets.

No nation watched those sessions more assiduously or witnessed with more sincere emotion or greater enthusiasm the incidents that took place at those sessions, at which the representatives of the civilized nations of the east and west fraternized. None showed greater appreciation of the importance of each discussion that arose. None sympathized more deeply with the labor that there was being developed. None felt more keenly its unity with the contest to be fought between the most divergent traditions, contrary temperaments and conflicting interests upon an unprecedented plane.

It is not with vanity that I recall the feelings prevalent in those days when the flame of a new life heated the blood in our veins; but, on the contrary, it is rather to emphasize the magic of the current that crossed the Atlantic to a people of lesser activity and lesser civic energy, surcharging the air and animating the lethargic multitude. Skeptics declare that these moral influences are condemned to remain abstract idealism, forgetting that the most powerful force or current in our cosmic life appears to be lodged in the clouds, and that when it descends from those heights, cleaving the atmosphere, there are no

obstacles which can resist it, and it penetrates with astral fire, into the depths of the earth.

There was a tendency to calculate the results of truth and justice by evidence that can be counted, weighed and measured among the everyday onlookers of the Congress of 1907. A chorus of detractions, scoffings and epigrams were voiced against the work, which they judged most ungratefully. Why? Because the second Conference accomplished nothing in the matter of disarmament? Because owing to the great number of demands made upon it, it was compelled to confine itself to important proposals made through the medium of votes, suggestions, and advice?

However, the 1907 Conference realized, in a measure, the promise of its predecessor. The project of organizing a court of arbitral justice did not become a consummated fact. This was only because the weaker Powers were not willing to agree with the greater Powers in regard to the system to be adopted for nominating the members of that tribunal. Will such an agreement be impossible in the future? I do not think so. Time knows no difficulties which it cannot overcome with the aid of experience, no knots it does not eventually untie, no problems which it does not solve. It was a great truth that inspired the pen of my noble friend Mr. James Brown Scott, who, in his important work dealing with the Conferences of 1899 and 1907, wrote: "The independence of the state is the very postulate of international law; but the solidarity of interest has made itself felt to such a degree that nations have yielded and must in the future yield something of their absolute liberty and independence, just as a citizen yields his absolute freedom for the benefit of society, of which he is a part."

Once this question is defined, however, that obstacle being resolved into a formula whereby in each transaction the rights of one class will be harmonized with the pretensions of the other, all other obstacles become secondary; therefore, except in regard to the prerequisite, the second Conference agreed upon a constitutional body ready to enter upon the work conceived by the institution, to exercise over the universal society of nations powers analogous to those of the federal Supreme Court in the United States.

But this was not the only result arrived at by the second Conference. Its efforts to conclude a universal arbitration treaty were frustrated. All the nations, however, were signatories there to the most solemn of acts, declaring themselves unanimous in recognizing the *principle of obligatory arbitration*, realizing that certain differences, more especially those relating to the interpretation and application of international conventions, are subject to the rule of obligatory arbitration without any restrictions whatsoever. Now there is not a single person living who will not feel that at the 1899 Conference it would have been impossible to obtain the consent of the Powers represented at The Hague to this ruling on the two declarations whereby the sovereign Powers, in the interests of justice, yield such an important point.

Eight years was the length of time required to achieve this incalculable advance in the path of the reconciliation of Powers by means of laws. It is solely due to the diplomatic manner in which the conquest was achieved; that the revolution that was effected in the law of the rights of the people, and the sentiments of the most powerful nationalities, was not perceived.

The critics, who at the close of this glorious Congress amused themselves with minimizing the importance of its accomplishments with caustic expressions of contempt, took the trouble to estimate the cash cost to the various governments, as also to the press, entailed by this second Peace Congress, and their estimate, which was more or less arbitrary and covered all expenditures, amounted from four thousand five hundred to nine thousand contos, an amount which, in the opinion of these same judges, had thus far hardly been spent profitably. But an American diplomat of recognized repute, whom I knew at The Hague, and who at the time was rendering valuable services to the Chinese delegation to which he was attached, Mr. John W. Foster, in his *Memoirs*, which were published three years ago, scouted this idea of futility, saying that even if the estimate were admitted to be more or less correct the amount was barely one-third of what an armed battleship would cost.

Moreover, any Power even among those whose financial resources are most limited will without hesitation willingly indulge in the luxury of increasing expenditures three-fold or six-fold in order to have as a preventive (even though there may be no probable danger of war) one or two of those machines whose powers to-day are questioned when the multiplicity of submarine and aerial weapons that science has created for the extermination of entire fleets and armies, is taken into consideration.

Let us see now what are really the fruits, the practical results and actual benefits that have accrued from the last meeting of the nations at The Hague. They were the convention of October 18, dealing with the pacific settlement of international disputes, the establishment of the new regime for the appointment of the Commission of Investigation, the establishment of an International Prize Court, the adoption of new laws relative to the usages of war on land and on sea, the protection of neutral commerce in time of war, the establishment of a permanent Court of Arbitration. All this in barely four months' time, quite apart from the complexity and multiplicity of incidental matters, represent a complete circuit of international questions.

Would it be reasonable to demand that its activity should have been greater, that it should have discovered a means of compelling the powers to refrain from further military armaments and definitively to substitute Arbitration for War? No one with common sense would so declare. In judging the merits of a human remedy, we must not only note the benefits it affords, but the possible dangers that it prevents.

The First Peace Conference did not prevent Russia, who took the initiative, from being involved in a most disastrous war with Japan in 1904-1905. The

Second Peace Conference did not prevent the war between Italy and Turkey, nor yet the war between Turkey and Greece and the Balkan States. But still, side by side with these occurrences, which must be discounted as something still inherent in human nature, we should, in all justice, give full and due credit, commensurate with the difficulties opposed, to those relations of solidarity, both in a moral and material sense, in the development of which the two Conferences, 1899-1907, have contributed more than any other influence in the history of nations.

In this connection, the President of the Second Conference said in his address at the close of the work: "This Conference has made the greatest progress that has ever been witnessed by a human being." The same testimony was given a little later by an authority that is practically unrivalled, Mr. Elihu Root: "The work of the Second Hague Conference presents the greatest advance ever made at any single time toward the reasonable and peaceful regulation of international conduct, unless it be the advance made at The Hague Conference of 1899. The achievements of the two Conferences justify the belief that the world has entered upon an orderly process through which, step by step, in successive Conferences, each taking the work of its predecessor as its point of departure, there may be continual progress toward making the practice of civilized nations conform to their peaceful professions."

It cannot be understood how the impression should have crept into the minds of the most enlightened that the Second Peace Conference should have vindicated itself ere terminating its deliberations by promulgating a general disarmament and the abolition of war. It was more or less in line with this test that the adverse critics of that Congress of sovereign Powers framed their views, forgetting how at variance these are when considering the question of the value of Legislative Assemblies. In every country, year after year, large bodies meet in deliberation, which deliberations are governed by universally recognized parliamentary rules and prescribe the form for satisfying public demand by means of arbitrary resolutions, remedying all existing evils in general. Notwithstanding the fact that these collective bodies exercise full control over their proceedings, which are facilitated by well defined principles, and which provide for the closing of a question by a vote of the majority, nevertheless, year after year, the work of the legislature is renewed without its having either cured the prevailing social ills or having satisfied the demands of the public;—yet, withal, no one contests the attitude of the legislature or its usefulness, or deems it unnecessary to the government of States.

In this respect constituent assemblies are the same as parliaments. No one has as yet discovered a system whereby every problem related to liberty and good government in every nation can be solved. It is only at intervals of generations or centuries that great changes in the fundamental laws of States take place. According to Ames, whose work is dated 1897, the number of amendments offered up to that time to the constitution of the United States

reached one thousand seven hundred and thirty-six, whereas only fifteen of these had been adopted. In Brazil it took ninety-seven years to bring about the triumph of the Republic in 1889 for which the unfaithful of Minas conspired in 1792 and lost their lives.

So that, in considering the internal life of States, we see that the efficiency of the legislator only makes itself felt by tact, postponements and compromises, and with fragmentary, slow and uncertain results. Why, then, should we be impatient because in only eight years time, the period that elapsed from 1899 to 1907, a council of independent and sovereign nations, unrestrained by the law of majorities, did not reach a definite agreement as to the means for ending or resolving conflicts without the rule of war, a rule, which since man became a rational being has been the rule of rules of this world?

In the inestimable work of Mr. James Brown Scott, to which we have already referred, there are three or four pages of admirable reasoning setting forth clearly and convincingly the similarity between the organic process of development in the common law of England and that which can be observed in the common law of nations. Now that, for the first time, the attempt is being made to codify this law, legislative efforts, according to the general opinion, will be based upon great legal principles that have been elaborated by a process of long development and upon which we may well rely for the requisite foundation for the international justice of the future. But though we may not have reached that stage as yet, and may still have to cover considerable ground to reach the point when civilization will not resort to warfare, nevertheless, that which has already been accomplished during the past fourteen years, through the medium of The Hague Tribunal and the development of arbitration, is a prodigious and fortunate advance, considering the means employed and the advantages derived.

If, as Mr. Elihu Root, with his accurate judgment and clear-sightedness, remarks, "the most valuable result of the Conference of 1899 was that it made the work of the Conference of 1907 possible," we may likewise maintain to-day that one of the greatest blessings resulting from the 1907 Conference lies in our having created for the modern world the necessity, which can no longer be ignored, of availing ourselves of the inspiring sentiments of international solidarity which have been created by these two Conferences. A third result was to approve the purpose of the last two Conferences by convoking another, in accordance with the provisions of the second Conference; and as the celebration of a third Conference will demand certain preparatory work which, according to the provisions of its forerunner should begin two years in advance of the actual meeting of the third Conference, the present time would appear most opportune to arouse the skeptical and forgetful, and to inspire the initiative of those who can give to the matter the intricate study which should precede this great event.

As far as I can judge, such an appeal would meet with unanimous approval from us, and this would be true, I presume, of the other countries in every section of our continent to whom President Nelidow, in recapitulating the work



accomplished by the Conference in his closing address, paid the following homage: "The association with representatives from Latin America in our sessions has unquestionably added new elements of great value to the fund of international political science,—elements, the value of which, up to this time, we have failed to appreciate, except to a very imperfect extent."

To the Government of the United States, above all others, is no doubt due the convocation of the Second Peace Conference. It was President Roosevelt, who, with his peculiar characteristic constructive activity, influenced successively by the great foresight and the political capacity of his two Secretaries of State, Mr. John Hay in 1904 and, more particularly, Mr. Elihu Root in 1905, was the first Chief of State to grasp the idea and under his leadership, to have it carried into effect, putting an end to the Russo-Japanese war by the interposition of his good offices and the Treaty of Portsmouth. It was through his master stroke alone, as revealed in the memorandum addressed by Mr. Root to the Russian Ambassador under date of October 12, 1905, that this glorious initiative was suggested to the chief of the Empire which had been vanquished in the disastrous struggle.

To-day we find at the head of the Government of the United States a representative of the very highest type of American culture, of its intelligence, its democracy, its well-understood and well-defined liberality, of its solidarity with the interests of the whole civilized world. Brazilian thought has already become familiar with the name of Woodrow Wilson, in whom we jurists here and our men of letters have long since admired the historian, the constitutionalist, the political writer of rare endowment, whose works have so greatly enlightened us. We need no further guaranty to believe that, under his generous and able guidance, the glorious precedent of ancient tradition which so greatly honors the colossus of North America will again shine forth.

I am not quite sure, gentlemen, whether I am treading on safe ground, but as my words are absolutely devoid of official significance, as are those of our distinguished visitor, Mr. Robert Bacon, I am bold to say what I feel with my own natural frankness as a mere Brazilian citizen, a member of the human family, a friend of philosophy, whose taste of political life has not harmed him.

I did not wish to detain you so long in traveling over a path which has such seductive byways. It was my intention, when accepting the invitation to address you to-day, to confine myself merely to our illustrious emissary of American civilization and assure him of our cordiality and friendship, and after opening the session with a few appropriate words to leave him in entire control. But a certain mandate that I could not ignore compelled me to forego my intended restraint and brevity. Reminiscences of The Hague have diverted me from my course. At the outset it was my intention to recount these by narrating them as they referred to the various phases of the mission of good tidings of which Mr. Robert Bacon is the bearer; but from last night almost until dawn I could not restrain my pen.

Thus there remained no time for me to tell you all that I should relate to the great institution of wonderful, universal good, its program, its organization and work, all of which was so vividly described the other day in the address of the illustrious representative of the Carnegie Endowment.

Thanks to the conception of that singular philanthropist who has devoted his fortune to the benefit of his neighbor, there will not be wanting during the intervals between the Peace Conferences, the stimulus which keeps alive the flame of the sacred fire. Now, the stimulus and the impulse radiate from a permanent focus filling the intervals between successive congresses of universal peace with a continuous effort of the workers in the cause of justice, organized into an association of intellectual attainments, whose arms will, within a short time, encircle the civilized world.

Mr. Robert Bacon, who has been sent to Brazil as an emissary from the Carnegie Endowment, "of which Mr. Root is the heart and soul," may rest assured that the "message of good will," which mission at this most auspicious hour has brought him to the hearth of the Brazilian family, enters our heart as the much needed dew for the seed of ideas, and will find there the warmth that is necessary to germinate the seed.

I do not know up to what point it will be proper, without presumption, for me to speak for my fellow citizens, who have all been breathing unconsciously the same air as I from infancy. But if I have not as yet lost that contact with the conscience of my compatriots, I can assure you that we are with you in the communion of international peace, and we shall consider ourselves fortunate whenever an occasion shall call upon us to place ourselves at your side in line with the latest workers for the cause to which you have consecrated yourself.

You opened your address the other day with a description of resplendent eloquence and poetry of the marvelous picture that presented itself to your mind upon arrival here and entranced you as you beheld the city under a blue, star-lit sky, and the smiling morn disclosed to you the green waters. You felt that from out all this, there must pass to those who dwell amid the gardens and the hills, between the heavens and the waters a continual stream of inspiration of never ceasing courage and energy.

Would to God, that we, in this Eden, may be permitted with dignity and harmony between man and nature to impress upon this terrestrial city the image of the ideal city, the city of virtue and truth, the city of God, and see it spread out and receive from the North those breezes, heavy with the pollen of that freedom which was sown on the shores of New England, almost three hundred years ago by the exiles of the *Mayflower*, and which, thus far, has never failed to reproduce new blooms, each more productive than the last, in the shape of institutions, men, ideas, permeated with that love of justice which converts the Roots, the Bacons and the Scotts into apostles and missionaries in the cause of the gospel of humanity and sends them forth to teach the world the Doctrine of Peace.

## Response of Mr. Bacon

[*Translation from the French*]

*Monsignor, Excellencies, Ladies, Gentlemen:*

I can not tell you how sensible I am of the great honor done me to-day by the Brazilian Academy and the Institute of Lawyers. I am, I assure you, deeply touched by this new mark of courtesy that you have shown by inviting me to be present at this meeting, held under the auspices of your famous intellectual leaders.

I thank you from the bottom of my heart for the flattering words—so little deserved—that you have addressed to my humble self. I wish that I could express to Your Excellency my gratitude for the sentiments of friendship which you have just expressed for my country and my friends.

Two days ago I tried to tell you in a few words something of the spirit, the inspiration, the hope with which Mr. Root granted me the privilege of coming to speak to you in his name of the work, the convictions and the hopes which he holds most dear. A hesitancy, a fear, indeed, that I should not prove worthy of his confidence, has given way to joyful gratitude for the gentle sympathy, the kindly good will of your welcome and your responsive reception which I appreciate most deeply and which will always be one of my most precious memories. I shall never forget your charming hospitality.

I regret that to-day I find myself confined to details that are somewhat dry and, I fear, rather uninteresting, at a moment when, under the charm and inspiration of your eloquent words, I would prefer to dwell upon our ideals, our hopes. For I am proud to share your optimism, sir, and I have an abiding conviction that, despite the clouds gathered by mistrust and unbelief, we are at the beginning of a great progressive movement in the liberalizing evolution of the world and that from afar we may see the dawning of a brighter, purer day.

The principles, the philosophy of the last century are no longer sufficient to our needs. We must have new rules of political economy, new principles of international law.

The gentlemen whom I had the privilege of addressing two days ago, did me the honor of asking for fuller details concerning certain objects of the Endowment.

To accomplish the objects of the Endowment the work has been organized in three divisions:

The Division of Intercourse and Education;

The Division of Economics and History;

The Division of International Law.

In regard to the Division of Intercourse and Education it was evident that the work of this Division would necessarily affect foreign countries and it was essential to the success of the work that it be done in foreign countries by local agents rather than by branches of the Endowment. As it was impossible to determine at long range what should be undertaken, as well as the method of its

execution, without the advice of competent and experienced leaders of thought of the different countries, Dr. Butler, Director of the Division, created an Advisory Council of representative European statesmen and publicists, and a body of correspondents upon whose advice and sympathetic co-operation he can always safely rely.

From this large Council, composed of approximately forty members, a small Executive Committee has been formed (both Council and Committee being under the presidency of Baron d'Estournelles de Constant) and a European bureau has been established at Paris.

We have wondered whether it would not be agreeable to leaders of thought in Latin America to create an organization somewhat similar to the General Advisory Council which has already been formed in Europe, and to co-operate with their fellow countrymen in carrying out the plans and undertakings which they may consider advisable or useful in their various countries.

The Division has adopted the rule not to undertake work in any European country without consulting the Council or without the approval of the members of the Council representing that particular country.

There is no need of more than a brief mention of the projects which the Division has undertaken. In the first place, in order to educate public opinion, the Division has taken measures to enlarge the contents and to increase the circulation of a selected list of European periodicals devoted to international peace, to cultivate friendly feelings between nations and to increase their knowledge and understanding of one another.

The Division has inaugurated an exchange of visits of representative men and an educational exchange with Japan, and the Director of the Division hopes to make arrangements for an educational exchange between the United States and Latin America that shall comprise professors as well as students. I have the honor to inaugurate the first of the series of international visits with our sister republics, and I hope to be able to obtain information and advice from leaders of thought in South America which will enable us to begin in the very near future a mutual exchange of professors and students.

I am instructed to suggest that the exchange begin by the annual visit of two eminent South American scholars or publicists to the United States and two North Americans to South America. Each of these men would divide his time between two universities in the country he would visit. I would like very much to have your opinion regarding the choice of professors and also the choice of universities to which they should go.

The Endowment will provide for the expenses incident to this exchange of professors.

It is unnecessary to dwell upon the wisdom and timeliness of these projects, for it is common knowledge that many of the misunderstandings existing between nations are the result of ignorance of local conditions, traditions and ideals. Personal intercourse reveals that at bottom all men are strangely alike,

and personal contact, discussion and exchange of views lay the indispensable foundations for friendship and good understanding.

One of the activities to which the Endowment attaches much importance is the organization throughout the world of Associations for International Conciliation.

Experience has shown that many people genuinely interested in bringing about good understanding with foreign countries nevertheless hesitate for a variety of reasons to ally themselves with Peace Societies. Associations for International Conciliation appeal to these classes, and it is the policy of the Endowment through the Division of Intercourse and Education to strengthen these Associations where they exist, and to co-operate so far as may seem desirable in their creation where they do not exist.

The parent Association was formed by Baron d'Estournelles de Constant in Paris some years ago. The branch in the United States, of which Dr. Butler is President, was organized in 1906; the German and English Associations were organized in 1912, and I am directed by my instructions to invite the co-operation of interested persons in the countries which I have the honor of visiting to organize branches of international conciliation to be connected with the parent Society at Paris. These Associations, while local in origin, have nevertheless an international mission and tend to create by their meetings and the excellent pamphlets which they regularly issue, a friendly feeling towards the peoples of foreign countries.

Allow me to explain the purposes of the Societies for International Conciliation in the language of the founder of the parent society in Paris. In an article which he has had the kindness to prepare on this subject, Baron d'Estournelles de Constant says:

The Association for International Conciliation is not a sentimental, humanitarian organization. It is a practical, patriotic advance, in the national interest of each country, particularly of young countries which must consecrate all their forces and resources to their own development. Its object is to ensure security for the morrow to the business and the working world—to the farmer, the manufacturer, the merchant, as well as to the artist and the scientist—and to make it possible to undertake works looking to the future.

Conciliation is today the indispensable complement of economic effort in every civilized country. To increase national prosperity by the promotion of good international relations; such is our object, summed up in our motto: *Pro Patria Per Orbis Concordiam.*

Wars of conquest are no longer profitable. They engender only hatreds, reprisals, the burdens of an armed peace that grow more crushing every day; and these burdens have become among the masses the strongest of arguments in favor of socialism and revolution.

Wars of independence alone are honorable, but no one threatens the independence of the American States. They will become more powerful by understanding each other than by arming themselves against each other.

Arbitration, on the contrary, has demonstrated its value in the Alabama, Hull, Casablanca, Behring Sea, Newfoundland fisheries, and other cases.

Undertake arbitration rather than war, but always prefer conciliation to arbitration.

Such is our idea, our rule of life.

I would sum it up as follows :

War rather than slavery.

Arbitration rather than war.

Conciliation rather than arbitration.

Arbitration cures ; conciliation prevents. Conciliation substitutes fruitful co-operation for sterile antagonism.

How should conciliation be organized ?

Little by little. Maternally ; by the co-operation of the few men who know the world and life, former diplomats, former Ministers of State, retired manufacturers, savants, artists, philanthropists ; men of proved good will.

A more or less numerous *élite* of such exceptional men exists in every country. Seek out these chosen few, explain to them the benefit, the necessity of conciliation, and, that done, put them in touch with similar groups in other countries. These groups brought together will undertake the education of the masses.

Our methods of procedure are :

1. Personal visits, intercourse and correspondence between men, between countries, between peoples, between parliaments, between organizations.

These methods have produced results ; by means of them we have brought together enemies supposed to be irreconcilable.

2. Publications, lectures. We publish bulletins ; we recommend or suggest literary works ; we travel and we exchange our experiences ; we spread our ideas in spite of obstacles or unfavorable circumstances. We do everything in our power to remove prejudices, preconceived opinions, ignorance, and to supplant them gradually (with the same benefit that would follow in trade) by mutual confidence, credit and, finally, international friendship.

To express in a single phrase the difference between Pacifist Societies and Societies for Conciliation it might be said that Pacifist Societies are composed of *pacifistes*—whatever meaning we attach to this word—while the Societies for Conciliation are composed of *pacifiques*, which is a broader and, apparently, much more acceptable term.

I should, indeed, be happy if I were able to persuade some of the *élite* in the different countries I have the honor to visit, to form national societies for International Conciliation to be affiliated with the parent society. Of course, it is understood, that this is a moral not a legal, affiliation, and that each society is independent. And I take pleasure in informing you that in this as in other cases, the Endowment will undertake to pay the expenses incurred in the

organization of these societies and to supply the funds necessary to obtain the services of capable, energetic, devoted and persevering secretaries upon whom the usefulness of the societies will depend.

Let me now describe the work of the second Division, that of Economics and History.

The work of this division is "to promote a thorough and scientific investigation and study of the causes of war and of the practical methods to prevent and avoid it"—that is to say, the study not only of the apparent causes which are often only pretexts serving ambitious and unscrupulous heads of states, but also of the real, and often hidden causes which one finds in race antagonisms and in interests of an economic nature. It is necessary, moreover, to study the causes and the economic effects, not merely upon belligerents but upon neutrals as well.

The Trustees felt it to be well nigh impossible to formulate by themselves plans calculated to promote a thorough and scientific investigation. A conference was arranged at Berne, Switzerland, in August, 1911, to which distinguished economists and publicists, drawn largely from Europe, were invited, to consider what subjects could properly and profitably be studied and to draft a tentative program for the Division.

Eighteen economists and publicists attended the Conference and their advice and co-operation were considered so important, indeed indispensable, to the success of the Division that they have been formed into a permanent Committee of Research, to advise the Director and to act as the agents of the Division in carrying out the projects recommended by the Conference and embodied in its elaborate program, which deals with questions concerning the economic and historical causes and effects of wars, armaments in time of peace, military and naval establishments, the theory, practice and history of modern armaments and, finally, the unifying influences of international life.

A large number of topics have already been assigned to specialists selected from the countries to which their work relates, some of the studies have been completed, and, in the course of a few years, the Endowment will have published a series of remarkable monographs, covering all phases of the elaborate program, which will, it is believed—to quote the language of Mr. Root—"be useful to mankind."

Professor Kinley, an old and sincere friend of Latin America, who represented the United States at the Fourth Pan-American Conference held in Buenos Aires, has been appointed a member of the Committee of Research, and will devote himself more especially to the problems in which Latin America is interested. In the course of the coming year, he will visit Latin America to confer with the leaders of opinion, to obtain their advice and, if possible, to secure their co-operation, both in suggesting projects and in executing those which they may recommend.

The third Division of the Endowment is the Division of International Law. This Division, like the others, found it necessary to create a special

organization and to secure a body of legal advisors, in whose conclusions in the sphere of law the Trustees can place implicit confidence.

The Institute of International Law is composed, it is hardly necessary to state, of the leading jurists of all nations, and the Endowment requested the Institute, either as a body or by means of a Committee, specially chosen for the purpose, to act as advisor to the Division of International Law. The Institute accepted the invitation and selected a Committee of eleven members, at its meeting in Christiania in 1912, who have acted during the present year as advisors to the Director, and this Committee, technically known as the Consultative Committee for the Carnegie Endowment, drew up a regulation, which has been accepted by the Institute, by means of which the relations established between the Institute on the one hand, through its Consultative Committee, and the Endowment on the other, through its Division of International Law, are to be permanent.

The committee consists of eleven members. The President and the Secretary General of the Institute are members *ex officio*, and the others are elected to serve for a term of years. It is to be noted that the members of this Committee are men of great experience and high authority in all questions of international law: Messrs. Fusinato of Italy, Gram and Hagerup of Norway; Holland of England; Lammasch of Austria; Lardy of Switzerland; Renault of France; Rolin of Belgium, and Vesnitch of Servia. The importance of this Committee of jurists and the value of the advice which they can render cannot be over-estimated.

As tending to establish a better understanding of international rights and duties, the Division of International Law grants material assistance to journals of international law in order to increase their circulation and to extend their influence, because, by this means, international law is popularised and the public is shown by concrete example how the principles of international law determine questions of international rights. In the same way, it is the intention of the Division, upon the recommendation of the Consultative Committee of the Institute, to aid in the distribution of important works of international law and, especially, to have translated into better known languages works which are of very great importance and usefulness but which are published in languages not widely read or understood.

To promote the general acceptance of peaceable methods of settling international disputes, the Division has under way several works; the first is the collection and publication of all general and special treaties of arbitration. In regard to the treaties of the nineteenth century especially, the Endowment would be very grateful to the publicists of Latin America if they would supply information concerning any such conventions of which they have knowledge—the only knowledge perhaps;—and the Trustees would regard it as a very great favor if the governments of Latin America would supply copies of such treaties, as it is very difficult at times to secure texts which are thoroughly accurate and reliable.



This collection will enable publicists to see to what extent nations have been willing to bind themselves to arbitration, and the various forms of existing treaties will be placed at their disposal. For a like reason all known instances of international arbitration are to be collected and published in the form of judicial reports and the series will be continued indefinitely. The well-known authority on International Law and Arbitration, Professor John Bassett Moore, lately of Columbia University, and now Counselor for the Department of State of the United States, has undertaken this monumental work and is actively engaged upon it.

The Institute of International Law which now acts as adviser to the Division of International Law was founded in Europe in 1873, but, although the Institute represents "the universal juridical conscience," many jurisconsults have felt the need of an institution which should represent the juridical conscience of America, study the problems which concern particularly the New World and examine from an American point of view general matters relating to the law of nations.

As you are well aware an American Institute of International Law was founded in 1912 by Señor Alejandro Alvarez of Chile and Dr. James Brown Scott, director of the Division of International Law of the Endowment. This Institute contemplates the formation of National Societies of International Law in all American countries to be affiliated with it and to work in harmony with it for the study of American problems.

The American Institute of International Law is to be composed of five publicists from each of the American Republics chosen from the members of the National Societies and each member of the National Society is, by virtue of such membership, entitled to enroll himself as an Associate Member of the Institute and to participate in its labors, upon payment of the modest dues which membership in the Institute entails. It is to be hoped and we believe that in this way the International Society will be kept in close and intimate contact with the National Societies, that the American Journal of International Law will be modified in such a way as to become the organ of the Institute and of the publicists of the Americas, and that the Bulletins which it is contemplated that each of the local Societies will issue, will keep the Institute itself in touch with the work of the National Societies, and that by the distribution of the Bulletins among the different societies, each will keep in touch with all the others.

It is unnecessary for me to dwell upon the importance of the Institute and of the National Societies, because to all those who believe that international peace is only possible through international law and its application to the foreign relations of nations, it is evident that Agencies, created to develop and render this system of law adequate to meet the needs of nations and to disseminate its principles so that an enlightened public opinion may be formed which will insist upon the application of those principles to the relations of nations and to the settlement of their disputes, will render great and inestimable services, for the future

of international peace is wrapped up with international law, its development, its dissemination.

Supposing that the American Institute is fully established and justifies its existence, and that the national societies of International Law are created and affiliated with it, we cannot help asking ourselves whether the American Institute would not be willing to enter into advisory relations with the Endowment and its Division of International Law in all matters concerning American questions and problems similar to the relations which so happily exist with the older Institute.

Lest I should seem to state in exaggerated language the aims and purposes of the American Institute of International Law, of which Mr. Elihu Root is Honorary President, let me quote a passage from a distinguished Dutch scholar and professor of international law, who may be supposed to treat the subject with more detachment.

After having spoken of the great example America has given to the world in undertaking the codification of international law, he says :

“The second example is given to us by an Institute essentially scientific but scarcely inferior in moral value. The gradual drawing together of the North and South has created a new instrument of progress. The projects for a Pan-American Union, started long ago without ever yielding results, have at last borne fruit in the peaceful field of study, thanks to the talent and perseverance of two illustrious men, one from the northern, the other from the southern half of the Western Hemisphere. During the past year Mr. James Brown Scott, the noted jurisconsult of the United States, and Señor Alejandro Alvarez, former professor and Counselor in the Ministry of Foreign Affairs of Chile, who in June, 1912, at Rio, exercised a most beneficial influence upon the great plan for codification, met at Washington, and founded in October, 1912, the American Institute of International Law. This Institute has for its objects: 1. To aid in the development of international law; 2. To strengthen the common sentiment of international justice; 3. To procure a general acceptance of peaceful procedure in the settlement of international disputes between the American States.

“This enlightened idea sprang from the conviction that it is better to spread conceptions of right and justice by a slow but constant appeal to the minds and hearts of people than by diplomatic negotiations which are not based on a general popular sentiment.

“If we take into consideration the fact that the peace movement in America is much more general than elsewhere and that it rests on a religious foundation or on a community of interests and of tendencies that we well may envy, we can appreciate this new proof of a virile progress which is brought to us from the other side of the ocean; it gives new life to our hopes and redoubles our efforts.”

Mr. Root and his associates attach the highest importance to the establishment and successful operation of the American Institute of International Law and of its affiliated societies in each of the American countries.

The Endowment now grants a subvention to the older Institute, founded in Europe. This subvention is designed to cover the traveling expenses of members of the Institute, the expenditures of the commissions and the publication of their works. The new Institute can count upon receiving financial aid from the Endowment as soon as the National Societies are thoroughly organized and it will be upon an equal footing with the older Institute in this respect.

The American Journal of International Law, which, with some slight modifications, might become the organ of the American Institute, receives now an annual subvention from the Endowment.

Another institution in which the Division of International Law is greatly interested and which it will subvention and maintain with much pleasure is the Academy of International Law which it is proposed to establish at The Hague.

A proposal was made at the Second Hague Peace Conference to create an academy of international law, and it was commended by the president of the Conference. No action was then taken, but the idea has commended itself to publicists of many nationalities. A committee of Dutch publicists, under the presidency of Mr. Asser, whose recent death we all deplore, suggested that such an academy be created and installed in the Peace Palace at The Hague.

The Permanent Court of Arbitration would apply the law which had been systematically expounded in the academy, and the magnificent building which was officially opened last August, would indeed become a temple of peace, a Home of International Law.

Mr. Asser's proposal contemplates systematic instruction, during the summer months, in international law and cognate subjects by a specially constituted and changing faculty, to be chosen from publicists of different countries. Courses of lectures on important and timely subjects would be given by publicists who, in addition to long theoretical training, have had large experience in the practice of international law. Seminars, under the direction of the regular professors, would be created for the detailed and exhaustive study of certain phases of international law and international relations. The courses would be open to students of all countries who possess the necessary qualifications, and who would be able to attend and to profit by the instruction given, as it would be, during the academic vacation.

It is also proposed that the governments should be interested in the academy and invited through diplomatic channels to designate appropriate officials of various branches of the governmental service to attend its courses.

The Institution would be unique in its summer sessions, unique in its small and changing faculty, and unique in its student body, drawn from foreign countries and from official classes. The lectures, published as monographs, would enrich the literature of international law; the law itself would be treated from various points of view and by competent teachers, of whom but one at a time would be selected from any country. The student body would be drawn from various countries and in the course of time would exercise influence in their home coun-

tries, so that the Academy would be eminently helpful to establish a better understanding of international rights and duties and to disseminate the principles of justice.

The Academy would, if organized, be a separate and independent institution, under the control of a specially appointed committee or curatorium, composed in the first instance of past presidents of the Institute of International Law. Thus organized and operated, it would advance the work which the Endowment is created to further, but it would not be a direct agency of the Endowment or under its control.

It would not seem necessary to go more fully into the advantages of such an Academy which appealed to the President and members of the Conference, which has been approved by the International Law Association—a more popular body than the Institute of International Law—by the Institute of International Law itself, by an overwhelming, indeed well-nigh unanimous, vote, and which has elicited the warmest commendations from statesmen, publicists and professors of International Law in all parts of the world.

Mr. Root directed me to submit to your consideration the project for this Academy and to ask the support of all the Latin American republics, that they may designate one or more of their citizens to attend the lectures and follow the course of instruction at the Academy when it is established.

Every one remembers, Mr. President, the notable part you took at the Second Hague Conference, the splendid results of which interest in the highest degree the Division of International Law as well as all friends of civilization and humanity. Your brilliant work is now history; it will never be forgotten. Your eloquence and your success at The Hague, Sir, attracted the attention of the civilized world. Not only the two Americas, our twenty-one sister republics, but the entire world will profit for all time from your noble efforts.

The Division of International Law, in order that the work of preparation for the Third Conference may soon begin, wishes to call attention to the formation of National Committees.

It is common knowledge that the Second Hague Peace Conference of 1907 recommended the meeting of the Third Conference at a period approximately equal to that which had elapsed between the First and Second Conferences, that is to say, eight years, so that, if the recommendation is carried out, we may expect the Third Conference to meet approximately in 1915.

It was further provided in the recommendation referred to that about two years before the probable meeting of the Conference an international preparatory committee should be constituted by common accord among the Powers to collect the proposals to be submitted to the Conference, to ascertain what subjects are ripe for embodiment in an International Agreement, and to prepare a programme to be submitted to the Governments invited to participate in the Conference sufficiently in advance of the meeting to enable them to be examined carefully and,

finally, to propose a system of organization for the procedure of the Conference itself.

It is evident that the different countries which will be invited to The Hague—every country of America was invited to the Second and will doubtless be invited to the Third Conference,—should consider all these important matters before the constitution of the International Preparatory Committee, and it seems advisable, indeed necessary, that each Government should appoint a Committee to consider these matters in detail in order that the Governments should be able to make their recommendations in the fullness of knowledge.

As the American Republics will attend as of right the Conference, it would seem to be their duty to prepare themselves in advance for active participation in its proceedings. They will not perform their full duty if their Delegates merely listen to the discussions and occasionally take part in them. The American States should do more than this. They should seek to increase the usefulness of each successive Conference by making contributions of value, and this can only be done if they prepare carefully in advance of the meeting.

It is not expected that the American States should present a series of joint projects to the Conference, or joint recommendations, but it would greatly facilitate matters if the different Governments should communicate their views so as to reach an agreement upon the subjects which in their opinion should be presented and which might form the subject of international agreements.

Our American States would neglect a great opportunity of usefulness if they did not appoint National Committees of their own to study the questions which should properly be discussed by the Conferences and prepare projects dealing with them which, if not adopted by the Conference will, at least, form the basis of discussion.

These National Committees might be formed as soon as possible in order that no time should be lost. I cannot commend too highly this matter to your careful thought and consideration.

The eminent French publicist, Professor A. de Lapradelle referred in the following terms to the support of the American republics in the preparation of questions for discussion at The Hague: "The Second Peace Conference, in calling to The Hague all the American States, made it possible to detect, between them, lack of harmony on certain points. They have not all the same conception, either of the law of peace or of the law of war. How is it possible to convince Europe of the correctness of the American point of view if America itself has not first been convinced? And, besides, with what authority will not the American proposals be vested when they come not from this or that State but from all the American States, which, having studied them in the American Institute of International Law, will have agreed upon them in the Pan-American Conferences?"

The study, the development and the popularization of international law deserve our best efforts. One of the most distinguished statesmen of Europe very recently said: "Neither the pure and simple abolition of war, nor the

institution of a supra-national State, nor a change of government or social organization can make smooth the road to peace and put an end to warlike instincts. There is only one road to follow, slow if you will, but sure: the road of law, not theoretical and imaginary law, but law that is positive and real. A peace which does not come from law, which does not find in law its foundation and its guarantee, is valueless; it is not worthy of your sympathies or your efforts. It rests upon a weak and trembling foundation; it depends upon precarious happenings and is likely at any moment to crumble and fall. It sacrifices that which is of first importance to a condition which is of only secondary importance and which has a moral value only in so far as it is the result of a reign of law."

Monsignor, Excellencies, Ladies, Gentlemen: Before concluding I wish to express again to you my most sincere thanks for the great honor which has been done me by the Brazilian Academy and the Institute of Lawyers as well as my profound gratitude for your kind and sympathetic reception. In leaving your city, with more regret than I am able to tell you, a city which will always be for me one of the wonders of the world, I shall carry away with me sentiments—if you will allow me to say so—of very dear personal friendship. I shall therefore say not goodby but—until we meet again.

#### Letter of Señor Helio Lobo,

ACCEPTING THE POSITION OF HONORARY SECRETARY FOR BRAZIL, OF THE NATIONAL SOCIETY  
OF INTERNATIONAL CONCILIATION,  
RIO DE JANEIRO, OCTOBER 9, 1913  
[*Translation from the Portuguese*]

His Excellency

ROBERT BACON, Ambassador.

Carnegie Endowment for International Peace.

*Sir:*—

Your Excellency deigned yesterday at the American Embassy to invite me in the name of the Carnegie Endowment for International Peace, of which you are the eminent representative on a special mission, to act as Secretary of the "International Conciliation" in Brazil for this worthy Association which is presided over in Paris by Baron d'Estournelles de Constant.

Having thanked your Excellency, at the time, for the distinguished honor conferred upon me, and having assured you how greatly I appreciate it, I beg leave now to reiterate what I then stated, and add how sensible I am of the marked kindness your Excellency has shown to me.

It will be for me a means of particular gratification to co-operate with my best efforts in this way in a work, the importance of which no one appreciates more fully than yourself.

I shall consider myself fortunate indeed, if in my effort to respond to the distinguished trust you have reposed in me, I am able to fulfil the commands with which your Excellency and the Association may see fit to honor me.

Assuring you of my warmest sentiments of highest appreciation and esteem,

I remain

Your obedient servant,

HELIO LOBO

## APPENDIX III

### *Argentina*

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#### Remarks of Dr. E. S. Zeballos,

AT A DINNER GIVEN BY HIM FOR MR. BACON,

BUENOS AIRES, OCTOBER 15, 1915

[*Translation from the Spanish*]

#### *Gentlemen:*

Mr. Bacon belongs to the select group of Americans who, under the distinguished leadership of Mr. Root, cultivate the diplomacy of enlightenment in America and in the world.

They seek in the esteem held by the world's representative men for one another, the natural and American tendency toward respect and conciliation between nations.

We welcome this noble mission to our land. Warm, too, is our greeting to its brilliant exponent whose learning and culture will ever live with us.

Gentlemen: To the United States of America where this intellectual movement is fostered.

To the venerable Carnegie, who is showing the world how private fortunes should not be confined to satisfying individual pleasures but to promoting the welfare of mankind.

To the illustrious Root, who leads this glorious movement.

To Mr. Bacon, chivalrous spirit and vigorous mind, who in unofficial capacity but with credentials from humanity and science, is realizing in South America the noblest and most fruitful mission of the United States.

#### Response of Mr. Bacon

[*Translation from the Spanish*]

#### *Gentlemen:*

First of all, I ask you to pardon my boldness in addressing you in the sonorous Castilian tongue, so rich and so harmonious, but which, to my deep regret, I speak haltingly. Your proverbial kindness assures me that I can count upon your indulgence.

I thank you most heartily, Sir, for the honor you have done me in affording me the pleasure of meeting the most distinguished personages of the intellectual world of Buenos Aires. I appreciate the flattering words addressed to my humble self and the praise bestowed on my country. I assure you that your gracious courtesy has touched me deeply.



In addressing you I feel profoundly moved. The warm welcome given me and the admiration I have for this beautiful land, make it difficult for me to express the sentiments which have filled my soul from the moment I set foot on your hospitable shore.

The eyes of the civilized world are to-day turned toward the Argentine Republic. It admires her wonderful progress and everywhere are heard enthusiastic words of praise and predictions of the bright future in store for her. I am completing a trip around the world and I have heard recounted in many places the wonders of this privileged land. Buenos Aires, superb Sultana of the Rio de la Plata, has made an impression on my memory which will never be effaced. I see in her not only a large and beautiful metropolis, modeled after the great cities of Europe, with the bustling life of her splendid harbor, with the ceaseless stir of her stately avenues and the singular attractiveness of her charming people, all of which proves the truth of what I have been told, but my eyes, striving to penetrate the veil of the future, behold in ecstasy the glorious vision of the American Paris, raised through the energy of her people to heights surpassing the fondest dreams of the present generation.

I am happy in having the opportunity to visit your country. I have always felt a keen interest in the Argentine Republic; her struggles for freedom, her extraordinary development, and her splendid future have always held my attention. I am delighted to visit the native land of the genius Sarmiento, whose name is a familiar one in the United States, from which he took the scheme of the educational system which this country has used to such good advantage; the land of the brave Belgrano, illustrious and intrepid leader, and of the stern patriot San Martín, whose wonderful military talent and heroic disinterestedness associate him in our minds with our own beloved Washington.

As the representative of the Carnegie Endowment for International Peace, I bring you the affectionate greetings of its eminent President and your true friend, Honorable Elihu Root, my honored chief, whom I love and whom you, gentlemen, I know, also esteem.

My mission for the Endowment has been referred to as a mission of friendship and good-will. That is very true and I am proud of it, but since ties of friendship already bind us, may we not go further than that?

For my part I should like it to be regarded as a mission of co-operation and mutual help among old friends with the object of discussing, studying, planning practical means whereby we can work together and march forward toward progress, toward the ideal of humanity, toward greater enlightenment, for the triumph of Right in the world, replacing resort to force by resort to justice; toward an international opinion which will be the true sanction of international law.

The noble words spoken by Mr. Root in 1906 at the Pan-American Conference represent the sentiment and the ideals of the people of the United States as truthfully and as forcefully today as when they were spoken seven years ago, for

governments may change, but the sentiments of the people remain the same. I like to think of this memorable declaration as the "Root Doctrine"—*the doctrine of sympathy and understanding, of kindly consideration and honorable obligation*—and I am proud to be considered worthy to speak of it as a humble apostle.

Since the visit of Mr. Root to your beautiful country in 1906, there have been great changes; marvelous progress has been made in the development of international law, of the law of peoples, and in this development the learned publicists and juriconsults of Latin America have played a very important part.

The scientific development of international law, towards which Mr. Root has unsparingly devoted his great gifts, is making rapid strides. It has been said that the Second Hague Conference presented the greatest advance ever made at any single time toward the reasonable and peaceful regulation of international conduct, unless it be the advance made at the First Hague Conference.

It has been said, too, that the dreams and Utopias of today are the facts of tomorrow. The dreams of yesterday are the realities of today. The dreams of Rolin-Jacquemyns, Lieber, Calvo, Alcorta and other inspired leaders are accomplished facts today; the spirit of their doctrines has become principles of our present conduct.

The Trustees of the Carnegie Endowment believe that this progress can be hastened by practical methods. They are convinced that the ideas of the great thinkers can be advanced more quickly to the benefit of the world, by uniting their efforts in certain well-defined, practical activities. The object of my visit is to ask your invaluable support and co-operation.

Mr. Root, who would leave the absorbing cares of political life to devote the greater part of his energies to this cause, feels special interest in certain plans of the Endowment which are of greater moment, and he has urged me to solicit your co-operation in this task:

To place the new American Institute of International Law on a sure and more permanent basis, by creating in each State of America national societies, affiliated with the American Society and forming an integral part of the same;

The creation of an Academy of International Law at The Hague, each government to send one or more representatives;

The organization in each country of national branches of the Society for International Conciliation, established at Paris and of which Baron d'Estournelles de Constant is President;

The creation of new intellectual ties by means of an exchange of professors and students between the universities of South America and of the United States, as well as through the visits of representative men.

I hope you will pardon my having kept you so long. On another occasion I hope to enter into further details regarding the ideas and desires of Mr. Root. In closing I invite you to bestow upon these practical projects your earnest considera-

tion, not only that the bonds of friendship and solidarity between our beloved countries may be strengthened, nor merely that there be created an intellectual union among the American Republics, but that humanity may be benefited and the ends of liberty and justice furthered among the nations of the world.

### Remarks of Dr. Luis M. Drago,

INTRODUCING MR. BACON AT THE RECEPTION OF THE FACULTY OF LAW,  
BUENOS AIRES, OCTOBER 16, 1913

[*Translation from the Spanish*]

I have the honor of welcoming and of introducing to the select audience gathered to hear him, Mr. Robert Bacon, one of the leaders of thought of the United States of America, who has come to Buenos Aires on a mission of continental brotherhood.

Mr. Bacon, formerly Secretary of State of the United States, and her Ambassador to France, is to-day a Trustee of the University of Harvard; and to the prestige of his clear mind and to his high personal attainments he now adds the credentials of special envoy of the renowned Carnegie Endowment for International Peace, constituted in the United States for the promotion of peace and friendship among the nations of the world. Mr. Bacon, statesman, scholar and noted educator, represents the very best of the high intellectual order to which he belongs, and is in every way worthy to continue the work of Mr. Root, that leader among orators and statesmen of the Western World who accomplished so much in his memorable voyage to Latin America toward promoting a better understanding among the peoples of America, pointing out to them the vast moral and intellectual heights to be attained through collective effort.

Mr. Bacon who, in his desire to bring to the South American nations the message of friendship sent by the Carnegie Endowment, did not object to a long and trying voyage, thus becomes the apostle of the old humanitarian ideal and of the spirit of solidarity, justice, respectful consideration and kindly feeling which has ever been the inspiring motive of the foreign policy of the Argentine Republic.

On behalf of the Faculty of Law, I take pleasure in welcoming our illustrious guest, and asking him to honor us with an address.

### Address of Mr. Bacon

[*Translation from the French*]

*Excellencies, Ladies, and Gentlemen:*

I cannot find words to express my high appreciation of the very great honor done me today by the Faculty of Law.

Believe me when I say that I am deeply touched by the courtesy you have shown me in inviting me to attend this meeting, held under the auspices of your leaders of thought, and to address you on the subject of my mission.

I thank you, Sir, from the bottom of my heart for the all too kind words in which you have referred to me and which I so little deserve.

It is a great pleasure to me to be able to visit, though only for a few days, far too short indeed, a few of the nations and countries of South America, for it has always been one of my fondest wishes, which as yet I have been able only partially to realize, to see with my own eyes your wonderful countries, the marvels of your civilization, to meet again the friends whom I have known and loved in other parts of the world, and to form new friendships, which will add another charm to life, which neither time nor distance can ever obliterate or cloud. I come, bearing a message of good will from your devoted friend and great admirer, Mr. Elihu Root. It is at his request, anticipated by my own desire, that I have the honor to stand before you. I would that I could say to you all that he himself would say, if he were present and could greet you with his old friendship. Our words would differ perhaps, but the spirit behind them would be the same.

I should like to have you think of me as inaugurating a series of international visits, which will follow each other without interruption and turn to our mutual advantage, by bringing together authoritative representatives of the social and intellectual circles of the North and of the South; and inviting you to coöperate in the establishment of international institutions, which will, we hope, become centers of good will, and spread and popularize correct and progressive principles of international law, on which may depend peaceful international relations, and which, in different ways, directly and indirectly, by means of an exchange of thought, an exchange of views, and a happy combination of efforts, will succeed in strengthening the bonds of friendship, which a common past, common institutions, and a common goal demand.

History and nature have created and developed a deep feeling of solidarity, not only between the States of Latin America, but also between the Republics of the South and the United States. We must endeavor to maintain and strengthen this solidarity which, because of its double origin, indissolubly unites the nations of the new continent in the past, in the present, and in the future.

It suffices to glance at the political history of the New World to see the constant interest of the United States in the struggle of the States of Latin America, first to free themselves from the mother country, and then to defend the independence they had won against all attempts at conquest on the part of European powers. It suffices briefly to recall that after their emancipation, the United States furnished the Latin States with the forms and bases of their political institutions, especially of their republican and democratic government, at a time when the old political institutions of Europe were far from satisfying the ideals of liberty and the social conditions of the two Americas.

All this glorious past in the history of the New World should strengthen the indestructible bonds of solidarity which have united the American nations since the beginning of their political life.

Nature fortifies the work of history. The geographical situation of the States of the New World has brought into being a series of problems common to the States of this Continent, thus creating among them new bonds of solidarity. Thanks to the progress of civilization and the improvement in the means of communication, America has come today to understand the imperative necessity of solving in a uniform manner problems arising from situations and conditions peculiar to the New Continent.

Outstripping Europe, where the great powers meet in conference only at the end of war, in order to determine the conditions of peace, all the States of America have met in pacific conferences, for the purpose of considering questions common to their continent; whence the name and the origin of the Pan-American Conferences. These conferences have been most fruitful in their results. A number of problems of interest to America have been studied; important conventions have been signed, with a view to the development of the social and the intellectual life of the New World. Finally, the representatives of the various American States have learned to know each other better, and have become aware of the many powerful bonds that unite all the American States.

The sentiments of solidarity and of fraternity, which group the States of the New World in a community of interests, must bring forth union and concord. The way is already open; many fruitful results have been obtained. We must therefore endeavor to achieve, in an ever increasing degree, good understanding and harmony. We must remove especially the misunderstanding on the part of the South American States of the policy of the United States. As Mr. Root has solemnly declared, the latter country desires more than all else that peace and prosperity may reign in Latin America, in order to strengthen and tighten the bonds of friendship and fraternity which should unite all the American nations.

I have the honor to address you, not merely on my own account, but in the name of the Carnegie Endowment for International Peace, of which Senator Root is the President, and to invite you, in the name of and on behalf of the Trustees of the Endowment, to cooperate with us in every way that you possibly and properly can.

In other words, Mr. Root's desire is to awaken, so far as possible, the interest and the sympathetic collaboration of the leaders of thought in South America and to enlist their aid in the various undertakings that the Endowment is seeking to promote, in the interest of better international relations, so that they may cooperate in a practical way in the work.

The esteem and friendship of the Trustees of the Endowment for the peoples of Latin America and for the many distinguished Latin Americans with whom they have most agreeable relations of personal friendship lead them to hope that the work of the Endowment may find in South America collaborators as active and as useful as those it has found in Europe.

Let me quote to you *verbatim* a passage from the instructions given me by Mr. Root, instead of paraphrasing them, as I have done on several former

occasions. "You will observe," said he, "that one of the means by which the Division of Intercourse and Education proposes to advance international good understanding is a series of international visits of representative men. Accordingly, under the auspices of the Division, directly or indirectly, Baron d'Estournelles de Constant of France, the Baroness von Suttner of Austria, and Professor Nitobe of Japan have already visited the United States, and President Eliot of Harvard University has visited India, China, and Japan, and Dr. Hamilton Wright Mabie is now in Japan. Your visit to South America comes in this category, but it has a more definite and specific purpose than any of the other visits which I have enumerated or which are contemplated under the head that I have mentioned, for it is not merely to strengthen good understanding by personal intercourse between a representative North American and representative South Americans, but it is also to introduce to representative South Americans personally the work and purposes and ideals of the Endowment, and to invite our friends in South America to cordial and sympathetic union with us in promoting the great work of the trust."

Such is the spirit of kindly feeling and genuine sympathy that has inspired my mission. I do not need to tell you that I am endeavoring to fulfil it in the same spirit.

I regret that I find myself today forced to confine my remarks to details that are somewhat dry and uninteresting, at a time when under the spell and the inspiration of your gracious welcome and of your charming hospitality, I would like to speak again and again of our ideals, of our hopes. For I am proud, Sir, to share your optimism, and I have an inner conviction that, in spite of the clouds gathered through mistrust and skepticism, we are on the eve of a great progressive and liberalizing movement, and can perceive afar the dawn of a brighter day.

The principles and the philosophy of life of the past century will not suffice. We shall need new laws, a new political economy, new principles of international law.

You have done me the honor to ask me for further details about certain projects of the Endowment.

The work of the Endowment has been apportioned among three Divisions:

1. The Division of Intercourse and Education, of which Dr. Nicholas Murray Butler, President of Columbia University, is Director.
2. The Division of Economics and History, of which Dr. John Bates Clark is Director.
3. The Division of International Law, of which the Secretary of the Endowment, Dr. James Brown Scott, is Director.

As regards the Division of Intercourse and Education, it was evident that its activities would necessarily apply to foreign countries and that it was essential for the success of its undertakings that its work in foreign countries

should be performed by local agents rather than by officers of the Endowment. As it was impossible to determine far ahead what should be undertaken and what methods should be applied, without advice from competent and experienced leaders of thought in the various countries, Dr. Butler, Director of the Division, formed a Consultative Committee of European statesmen and publicists, and a corps of correspondents, upon whose opinion and sympathetic coöperation he can always count.

We have wondered whether it would be agreeable to the leaders of thought in Latin America to create an organization somewhat similar to the General Consultative Committee already formed in Europe.

The Division has inaugurated visits of eminent men and an educational exchange with Japan. I hope to be able to obtain advice and information in South America which will enable us to begin in the near future a mutual exchange of professors and students with Latin America.

The Endowment is anxious to have the exchange begin at once by the sending of two eminent savants or publicists of South America to the United States, and two North Americans to South America. Each of these gentlemen would devote his time to two institutions in the continent that he visits.

It is useless to dwell upon the wisdom and the timeliness of these projects, for it is common knowledge that many of the misunderstandings that exist between nations are the result of ignorance of local conditions, traditions and ideas. Personal contact proves that all men are at bottom strangely alike, and that personal contact, discussion, and an exchange of ideas lay the foundations that are indispensable for friendship and good understanding.

One of the activities to which this Division attaches great importance is the establishment of Associations for Conciliation throughout the world.

A few years ago the parent association was organized at Paris by Baron d'Estournelles de Constant. The branch in the United States, of which Dr. Butler is President, was created in 1906. The German Association and the English Association were organized in 1912, and I am charged to appeal to interested persons in the countries that I have the honor to visit, to coöperate by organizing branch societies of International Conciliation to be connected with the parent society in Paris. These associations, although local in origin, have nevertheless an international mission and seek to create, by their meetings and the useful pamphlets that they regularly publish, friendly feelings towards the peoples of foreign countries.

Permit me to lay before you the aims and purposes of societies for International Conciliation in the words of the founder of the parent society at Paris. In a memorandum which he was good enough to prepare on this subject, Baron d'Estournelles de Constant says:

Conciliation is not a sentimental or humanitarian organization; it is a practical and patriotic step forward in the national interest of each country, particularly of young countries, which need to devote all their strength and

resources to their development. Its aim is to insure a safe tomorrow for the world of business and of labor—for the farmer, the manufacturer, the merchant, as well as for the artist and the savant;—to make it possible for them to plan and undertake work for the future.

Conciliation is the modern indispensable complement of the economic efforts of every civilized country. To develop national prosperity with the aid of peaceful international relations, such is our effort, summed up in our motto: *Pro patria per orbis concordiam*.

Wars of conquest no longer pay; they engender only hatred, reprisals, the ever increasing burdens of an armed peace. These burdens have become, among the masses, one of the most powerful arguments in favor of socialism and revolution.

The only worthy wars are wars of independence; but no one is threatening the independence of the American States. They will become stronger by learning to know each other better, than by arming themselves against one another.

Arbitration, on the contrary, has stood its test—witness the Alabama, the Hull, the Casablanca, the Bering and Newfoundland fisheries cases, etc.

Organize arbitration rather than war, but always prefer conciliation to arbitration.

Such is our conception, our rule of life.

I sum it up thus:

War rather than slavery;  
Arbitration rather than war;  
Conciliation rather than arbitration.

Arbitration mends, conciliation prevents. Conciliation substitutes the spirit of fruitful coöperation for the barren routine of antagonism.

The Endowment is disposed to assume the expenses incurred in the organization of these societies and to supply the necessary funds to secure the services of secretaries capable of energy, devotion, perseverance, and intelligence, upon whom depends the usefulness of these societies.

I shall now take up the work of the Division of Economics and History.

The function of this Division is "To promote a thorough and scientific investigation and study of the causes of war and of the practical methods to prevent and avoid it."

A conference was held at Berne, Switzerland, in August, 1911, to which distinguished economists and publicists from all Europe were invited, to examine questions which could be properly and practically studied, and to draw up a tentative program for the Division.

A great number of subjects have already been assigned to specialists chosen in the countries to which their work applies. Some of these studies are already completed and within a few years the Endowment will have published a series of noteworthy volumes, covering all the phases of the program, which will be,—in the language of Mr. Root,—“useful to mankind.”

Professor Kinley, an old and sincere friend of Latin America, who represented the United States in the Fourth Pan-American Congress held at Buenos Aires, has been appointed a member of the Committee of Research, and he will devote



himself more particularly to the problems in which Latin America is interested. He will visit Latin America, certainly during the course of next year, in order to confer with its leaders of opinion, with a view to obtaining their advice, and if possible, their coöperation in the execution of the projects that they may recommend.

The third Division of the Endowment is the Division of International Law.

This Division, like the others, has found it necessary to create a special organization and to secure the services of a corps of jurists, in the correctness of whose opinions in legal matters the Trustees can have full confidence.

The Institute of International Law is composed,—it is hardly necessary to say,—of the most eminent jurists of all nations, and the Endowment has asked the Institute to act either as a body or through a committee specially appointed for this purpose, as adviser to the Division of International Law. The Institute has accepted this task, and appointed a committee of eleven at its Christiania meeting in 1912, called the Consultative Committee for the Carnegie Endowment. This Committee has acted during the present year as adviser to the Director and has drawn up regulations, which have been accepted by the Institute, and by means of which the relations established between the Institute, on the one hand, through its Consultative Committee, and the Endowment, on the other, through its Division of International Law, should become permanent.

The Committee is composed of eleven members, of which the President and the Secretary General of the Institute are members *ex officio*. The other members are elected for a fixed term of years. It should be stated that the members of this Committee are men of great experience and of high authority in all questions pertaining to international law: They are Messrs. Fusinato of Italy; Gram and Hagerup of Norway; Holland of England; Lammasch of Austria; Lardy of Switzerland; Renault of France; Rolin of Belgium; and Vesnitch of Serbia.

The Division has several works in preparation. The first is a collection of all general and special treaties of arbitration; and with regard to the treaties of the nineteenth century, the Endowment would be very grateful to the publicists of Latin America if they would kindly furnish information about certain questions, on which they have the best, perhaps the only knowledge, and the Trustees of the Endowment would appreciate as a great favor on the part of the Governments of Latin America, if they would kindly furnish copies of these treaties, inasmuch as it is very difficult always to procure texts that are absolutely accurate and trustworthy. All known cases of international arbitration are to be collected and published in the form of legal reports, and the series will be continued indefinitely. Professor John Bassett Moore, the well known authority in matters of international law and arbitration, recently professor at Columbia University and at present Counselor for the Department of State of the United States, is in charge of this monumental work and is actively engaged upon it.

The Institute of International Law, which acts as adviser to the Division of International Law, was created in Europe in 1873; but, although this Institute

represents the "universal legal conscience", many jurists have felt the need of an institution to represent the legal conscience of America, to study the problems that interest the New World in particular, and to consider, from the American point of view, general questions in the law of nations.

As you know, an American Institute of International Law was founded in 1912 by Mr. Alejandro Alvarez of Chile and Dr. James Brown Scott, the Director of the Division of International Law of the Endowment. This Institute contemplates the formation of National Societies of International Law in every American country, to be affiliated with it and to work in harmony with it in studying American problems, with the view of developing international law, of making known its principles in all countries, and of contributing to the peaceful relations of nations, because these relations, if enlightened public opinion so demands, will be based upon the principles of an equitable and highly developed system of international law.

The American Institute of International Law will be composed of five publicists from each of the American Republics, selected by the charter members of the Institute from among the members of the National Societies, and every member of a National Society has, by virtue of such membership, the right to be enrolled as an associate member of the Institute and to participate in its labors.

Lest I appear to be describing in exaggerated terms the aims and purposes of the American Institute of International Law, of which Mr. Elihu Root is the Honorary President, let me quote a passage from a learned Dutchman, a professor of international law, who may be supposed to treat this matter more disinterestedly. After speaking of the great example that America has set the world by undertaking the codification of international law, he says:

The second example is furnished us by an Institute essentially scientific, whose moral influence is almost as great. The gradual drawing together of the North and South has created a new instrumentality of progress. The projects of a Pan-American Union, which were launched long since, but have never succeeded, have at last brought forth a favorable result in the field of peaceful studies, thanks to the talent and the perseverance of two illustrious men, one in the northern, the other in the southern half of the Western Hemisphere. In the course of the past year Mr. James Brown Scott, the noted jurist of the United States and Mr. Alejandro Alvarez, formerly professor and Counselor to the Ministry of Foreign Affairs of Chile, who in June 1912 at Rio exerted a most salutary influence on the great project of codification, met at Washington and founded, in October 1912 the American Institute of International Law. This Institute has for its object: (1) To contribute to the development of international law; (2) to strengthen the common sentiment of international justice; (3) to bring about universal acceptance of peaceable methods of settling international disputes between the American States.

This brilliant idea sprang from the conviction that it is better to spread conceptions of law and justice by a slow but constant infusion into the heads and hearts of nations than by diplomatic negotiations, which do not rest on popular sentiment.

If we take into consideration the fact that the peace movement is far more widespread in America than elsewhere, that it rests either upon a religious basis, or upon a community of interests and of tendencies that may well be envied, we can appreciate at its true value this further proof of vigorous progress which has come to us from the other side of the ocean. It revives our hope and impels us to increase our efforts.

Mr. Root and his colleagues attach the greatest importance to the establishment and the satisfactory operation of the American Institute of International Law and its affiliated societies in each of the American countries.

The Endowment grants at present a subvention to the older Institute, founded in Europe. This subvention is to cover the traveling expenses of the members of the Institute, expenses incurred by its commissions and the publication of their proceedings and reports. The new Institute can count on receiving financial aid from the Endowment as soon as the national societies are definitely formed, and upon being placed on the same footing as the older Institute.

The *American Journal of International Law*, which, with a few slight changes, could be made the organ of the American Institute, already receives an annual subvention from the Endowment.

Another institution in which the Division of International Law takes great interest, and which it will maintain with a subvention, is the Academy of International Law, which it is proposed to establish at The Hague.

A proposal was made at the Second Peace Conference at The Hague for the creation of an Academy of International Law, and the plan was developed by the President of the Conference. No resolution was passed at the time, but the idea impressed itself upon the publicists of every nationality. A committee of Dutch publicists, under the presidency of Mr. Asser, whose recent death we all deplore, has taken the initiative in the creation and installation of such an Academy in the Peace Palace at The Hague.

The Court of Arbitration would apply the law, which would be systematically taught in the Academy, and the marvelous palace, which was officially opened in the month of August last, would become indeed a Temple of Peace, the home of International Law.

Mr. Asser's proposition contemplates systematic instruction, during the summer months, in international law and subjects pertaining thereto, by a specially constituted and changing faculty, in that the professors would be chosen from among the publicists of different countries. Courses of lectures would be given on important and timely subjects by publicists, who, in addition to long theoretical training, had acquired great experience in the practice of international law.

It is also proposed that the Governments should become interested in the Academy and that they be invited, through diplomatic channels, to designate appropriate officials in their various departments, to take the courses of the Academy.

The Institution would be unique in its summer sessions, unique in its small and changing faculty, and unique in its student body gathered from various foreign countries and from official circles. The lectures, published in the form of pamphlets, would enrich the literature of international law. The law itself would be treated from different viewpoints by competent professors, no two of whom would be from any one country. The student body would be recruited from different countries, and little by little they would exert an influence in their respective countries, so that the Academy would greatly aid in bringing about a better understanding of international rights and duties and in disseminating the principles of justice.

When constituted, the Academy will form a separate and independent institution under the control of a committee or *curatorium* specially appointed, composed principally of former Presidents of the Institute of International Law. Thus organized and operated, it would promote the object for which the Endowment was created, but it would not be a direct agency of the Endowment, nor under its control.

Mr. Root has charged me to submit to you the plan of this Academy and to request the coöperation of all the Republics of Latin America, with the view of designating one or more of their citizens to attend the lectures and courses of instruction which will be given at the Academy when established.

Another matter which I have been charged to bring to your attention is the formation of National Committees to examine questions which might properly appear in and form a part of the program of the next Hague Conference, which committees will put themselves in communication with similar committees formed in all the American countries.

It is general knowledge that the Second Peace Conference at The Hague in 1907 proposed the meeting of the Third Conference at a time approximately equal to that which elapsed between the First and the Second Conferences; that is to say, eight years, so that, if the proposal is put into effect, we can expect the meeting of the Third Conference approximately in 1915.

It was also stipulated in the above mentioned proposal that some two years before the probable meeting of the Conference, an international preparatory committee be constituted by common agreement among the Powers.

It is evident that the various countries that will be invited to The Hague should examine these important questions before the constitution of the International Preparatory Committee, and it appears advisable, if not necessary, that each Government should name a committee to examine these questions in detail, so that the Governments may be in a position to formulate their propositions in the fulness of knowledge.

As the American Republics will consider it their right to attend the Conference, it is their duty to prepare themselves in advance for an active participation in its proceedings. They should seek to increase the usefulness of each

successive Conference by making important contributions to them, and that can be accomplished only if they carefully prepare in advance for the meeting.

It is not expected that the American States will present a series of projects in common to the Conference, nor that they will submit propositions in common, but, if the various Governments exchange views, so as to reach an agreement on the questions that, in their opinion, should be presented and that might enter into international treaties, it would considerably facilitate matters.

The eminent French publicist, Professor A. de Lapradelle, refers in the following words to the coöperation of the American Republics in preparing questions for discussion at The Hague :

The Second Peace Conference, by calling to The Hague all the American States, brought to light disagreements among them on certain points. All of them have not the same conception of the law of peace nor of the law of war. How then can Europe be convinced of the correctness of American views, if America herself is not already so convinced? And again, how much more weight American propositions will carry when they proceed, not from this or that State, but from America as a whole, whose publicists having studied them in the American Institute of International Law, have adopted them in the Pan-American Conferences!"

Permit me to make a final quotation from Mr. Root :

The Trustees of the Endowment are fully aware that progress in the work which they have undertaken must necessarily be slow and that its most substantial results must be far in the future. We are dealing with aptitudes and impulses firmly established in human nature through the development of thousands of years, and the utmost that any one generation can hope to do is to promote the gradual change of standards of conduct. All estimates of such work and its results must be in terms not of individual human life, but in terms of the long life of nations. Inconspicuous as are the immediate results, however, there can be no nobler object of human effort than to exercise an influence upon the tendencies of the race, so that it shall move, however slowly, in the direction of civilization and humanity and away from senseless brutality. It is to participate with us in this noble, though inconspicuous, work that we ask you to invite our friends in South America with the most unreserved and sincere assurances of our high consideration and warm regard.

Excellencies, Ladies and Gentlemen, let me in closing again express my most sincere thanks for the great honor done me by the Faculty of Law, as well as my deep gratitude for your kindly and sympathetic welcome.

## APPENDIX IV

### *Uruguay*

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Remarks of the American Minister, Hon. Nicolay Grevstad,

AT A LUNCHEON GIVEN BY HIM FOR MR. BACON AT THE URUGUAY CLUB,  
MONTEVIDEO, OCTOBER 20, 1913

[*Translation from the Spanish*]

*Excellencies, Ladies and Gentlemen:*

Our warmest welcome to our distinguished guests, heralds of peace and brotherhood!

We all know that Mr. Bacon is amongst us to-day as the representative of the Carnegie Endowment for International Peace. We know, too, that never more than to-day is it everywhere necessary to wage the war of reason against the war of violence. It is a very happy sign that so illustrious a man as our guest should have consecrated his energies to the cause of international peace. We can assure him that Uruguay stands ready to heed his good words. We can assure him, too, that Uruguay, rich in its fertile lands, in its strong, intelligent and progressive people, in its financial and commercial honor—as pure as the gold which has ever been the basis of its monetary system—that Uruguay, I repeat, will heartily welcome Mr. Bacon, his charming wife and daughter and the friends who accompany him. We extend our heartiest greetings to all!

#### Response of Mr. Bacon

[*Translation from the Spanish*]

I am most grateful, Mr. Minister, for your words of welcome, as well as for the opportunity afforded me of meeting our countrymen fraternizing with this distinguished group of Uruguay's citizens. Please accept, Excellencies, my sincere thanks for your kind reception and for the many courtesies showered upon me and my family.

The people of the United States are well aware that all that the Minister has just said in praise of Uruguay is true. As the representative of the Carnegie Endowment for International Peace, I am charged with a message of affectionate greeting from its eminent President and your cordial friend, Hon. Elihu Root, my honored chief, whom I love and whom you, gentlemen, I know, also esteem.

My mission for the Endowment has been referred to as a mission of friendship and goodwill. That is very true and I am proud of it, but since ties of friendship already bind us, may we not go further than that? For my part

I should like it to be regarded as a mission of coöperation and mutual help among old friends, with the object of planning practical means whereby we can work together and march forward toward progress, toward the ideal of humanity, toward greater enlightenment for the triumph of right in the world, replacing resort to force by resort to justice; toward an international opinion which will be the true sanction of international law. We believe that there are several practical ways whereby this coöperation can be obtained with but little delay, and I expect to explain these to you tonight. The purpose of my mission is to lay these plans before you and to solicit your invaluable coöperation. I am delighted to see side by side in this room the colors of our two flags, those of Uruguay and of the United States, and I pray that just as our two flags are here entwined so may the hearts of our two peoples be ever united in lasting friendship.

To the Republic of Uruguay, to its continued friendship with our country and to the ladies who have honored us with their presence.

### Address of Mr. Bacon

AT A RECEPTION AT THE ATENEO,

MONTEVIDEO, OCTOBER 20, 1913

[*Translation from the Spanish*]

#### *Ladies and Gentlemen:*

You will pardon me, I know, if I venture to address you in your beautiful language, whose rhythm attracts me irresistibly, but which, to my very great regret, I speak haltingly.

I am profoundly touched by this new evidence of kindness shown me by inviting me to be present at this meeting, held in this Temple of Science and Letters under the auspices of your famous intellectual leaders.

Words fail me with which to express the sentiments of my deep appreciation for the eloquent remarks of your eminent orator, scholar, poet and statesman.

In my own name and on behalf of the distinguished statesman whose mission I bear, Senator Elihu Root, I thank you with all my heart for your kind words of welcome, for this cordial reception and for the flattering words addressed to my humble self and so little deserved.

It is a very great pleasure for me to be permitted to visit, if only for a few days, far too short, some of the peoples and countries of South America; for it has been one of my most cherished dreams, which I have been able only partially to realize as yet, to see with my own eyes your wonderful countries, the marvels of your civilization, to meet again friends whom I have known and loved in other parts of the world, to make other friendships which will add a new joy to life, and fill me with memories which neither time nor distance can dim or efface. I come charged with a message of good will from your devoted friend and great admirer, Mr. Elihu Root, at whose request,

anticipated by my own desire, I have the honor to appear before you. I wish I could say to you all that he would say, were he here in person to address you and to greet you as an old friend. The expressions might differ, perhaps, but I assure you the spirit behind them would be one and the same.

I would like to have you look upon me as inaugurating a series of international visits which will follow each other without break and be mutually advantageous by bringing together accredited representatives of life and thought of the Southland as well as of the North; and inviting you to coöperate in the establishment of international institutions which will, we hope, become centers of good will, develop and popularize just and progressive principles of international law upon which good relations must depend, and in various ways, directly and indirectly, by an exchange of thought, an exchange of views and a happy combination of effort, result in strengthening the bonds of friendship which a common past, common institutions and a common goal urge and demand.

History and Nature have inspired and increased a deep feeling of solidarity, not only between the countries of Latin America, but also between the Republics of the South and the United States. It behooves us to maintain and strengthen this solidarity which, by reason of its two-fold origin, unites inseparably the nations of the new continent in the past, in the present and in the future.

One need only glance at the political history of the New World to see the constant interest the United States has taken in the struggles of the Latin American nations, first to free themselves from the mother country and then to defend the independence they had won against all attempts at conquest on the part of European nations. Moreover we might briefly recall that, after the emancipation, the United States furnished the Latin States with the forms and basic principles of their political institutions, particularly of their republican and democratic government, exactly at a time when the ancient political institutions of Europe were far from responding to the ideas of liberty and to the social conditions of the two Americas.

All this glorious past in the history of the New World should strengthen day by day the indissoluble bonds of solidarity which have united the American nations since the beginning of their political life.

Nature has added to the work of History. The geographical situation of the States of the New World has brought into being a series of problems common to all the States of the Continent, thereby creating among them new ties of union. Thanks to the progress of civilization and the perfection of means of communication, we in America have come to see the imperious necessity of solving in a uniform manner, the problems arising out of situations and conditions peculiar to the New Continent.

Anticipating Europe in a way, whose great Powers meet in conference only at the conclusion of wars to determine the conditions of peace, all the American States have met together in pacific conferences in order to discuss



questions common to their Continent—hence the name and origin of the Pan-American Conferences. These conferences have borne abundant fruit—a number of problems of interest to America have been studied; important treaties have been signed with a view to developing the social and intellectual life of the New World; and, finally, the representatives of the several American States have learned to know each other better and have come to appreciate how many and how strong are the ties which bind the American nations together.

The sentiments of solidarity and fraternity which unite the countries of the New World in a community of interests should create a work of union and concord. The way is already open; numerous and fruitful results have been obtained; the time has come, therefore, to establish in ever increasing measure, good understanding and harmony. Above all, it is necessary to correct a misunderstanding by the South of the political purposes of the United States. As Mr. Root solemnly declared when he was among you, the United States desires above all that peace and prosperity reign in Latin America in order to strengthen and to tighten the bonds of friendship and of brotherhood, which should unite all the American peoples.

I have the honor to address you not merely on my own account, but on behalf of the Carnegie Endowment for International Peace, of which Senator Root is President, and to invite you in his name and on behalf of its Trustees to cooperate with it in such ways as you may consider possible and advisable.

In other words, the wish of Mr. Root is to enlist as fully as possible the sympathetic interest of the leaders of thought in South America in the various enterprises for the improvement of international relations and to bring about their practical cooperation in that work.

The respect and friendship which the Trustees of the Endowment entertain for the peoples of Latin America and for the many distinguished Latin Americans with whom many of the Trustees have most agreeable relations of personal friendship, lead us to desire that the work of the Endowment may have such active and useful cooperation in South America as it has already secured in Europe.

Permit me to explain briefly the work of the Endowment, and to outline certain practical projects in which Mr. Root and his associates desire your hearty cooperation.

I regret that today I find myself confined to details somewhat dry and, I fear, rather uninteresting at a moment when under the charm of your warm welcome and your generous hospitality—in this atmosphere of freedom, consecrated by so many struggles and by so many heroes—I would prefer to dwell upon our ideals, our hopes of the visions dreamed of by your Artigas and by our Washington. For I am proud to share your optimism, sir, and I have an abiding conviction that, despite the clouds gathered by opposition and unbelief, we are at the beginning of a great movement of progress in the evolution of the freedom of the world and that from afar we may see the dawning of a brighter, purer day.

The principles, the philosophy of the last century are no longer sufficient to our needs. We must have new rules of political economy, new principles of international law.

To carry out the work of the Endowment it has been organized into three divisions:

- The Division of Intercourse and Education;
- The Division of Economics and History;
- The Division of International Law.

To aid in the work of the first Division, Dr. Butler, its Director, has created an Advisory Council of representative European statesmen and publicists, to which has been associated a body of correspondents.

We have asked ourselves whether it would be agreeable to leaders of thought in Latin America to create an organization somewhat similar to the General Council which has already been formed in Europe.

The Division has inaugurated an exchange of visits of representative men and an educational exchange with Japan, and I hope to be able to obtain information and advice in South America which will enable us to begin in the very near future a mutual exchange of professors and students from Latin America.

I am instructed to suggest that the exchange begin at once by the annual visit of two eminent South American scholars or publicists to the United States and two North Americans to South America. Each of these men would divide his time between two universities in the country which he would visit.

One of the activities to which this Division attaches much importance has to do with the organization of Associations for International Conciliation throughout the world.

The parent Association was formed by Baron d'Estournelles de Constant in Paris some years ago. Branches have been established already in the United States, Germany and England, and others are in the course of formation.

I am directed by my instructions to invite the coöperation of interested persons in the countries which I have the honor of visiting, to organize branches of International Conciliation to be affiliated with the parent branch at Paris. These associations, while local in origin, have nevertheless an international mission and tend to create by their meetings and excellent pamphlets which they regularly issue, a friendly feeling towards the peoples of foreign countries.

"The Association for International Conciliation", says Baron d'Estournelles de Constant, "is not a sentimental, humanitarian organization. It is a practical, patriotic advance followed in the national interest of each country particularly in young countries which must consecrate all their forces and resources to their own development.

"Conciliation is the modern, indispensable complement of economic effort in every civilized country. To develop the national prosperity by the promotion of good international relations; such is our object summed up in our motto: '*Pro Patria Per Orbis Concordiam.*'"

“Undertake arbitration rather than war, but prefer always conciliation to arbitration. Our idea, our rule of life is this:

“War rather than slavery.

“Arbitration rather than war.

“Conciliation rather than arbitration.

“Arbitration cures; conciliation prevents.

“Conciliation substitutes fruitful coöperation for sterile antagonism.”

The Endowment will provide for the expenses incident to the organization of these associations.

Let me now describe the work of the Division of Economics and History.

The work of this Division is “to promote researches into and a profound, scientific study of the causes of war and of the practical method to prevent and avoid it.”

A conference was arranged at Berne in Switzerland two years ago, to which distinguished economists and publicists, drawn largely from Europe, were invited, to consider the subjects that could properly and profitably be studied and to draft the tentative programme for the Division.

A large number of topics have already been assigned to specialists selected from the countries to which their work relates; some of the studies have been completed, and, in the course of a few years, the Endowment will have published a series of remarkable monographs, covering all phases of the elaborate programme, which will, it is believed,—to quote the language of Mr. Root—“be useful to mankind.”

Professor Kinley, an old and sincere friend of Latin America, who represented the United States at the Fourth Pan-American Conference held in Buenos Aires, has been appointed a member of the Committee of Research, and he will devote himself more especially to the problems in which Latin America is interested, and, in the course of the coming year, he will visit Latin America to confer with the leaders of opinion to obtain their advice and, if possible, to gain their coöperation, both in suggesting and in executing those projects which they may recommend.

The Third Division of the Endowment is the Division of International Law.

This Division, like the other Divisions, found it necessary to create a special organization and to have a body of advisers.

The Institute of International Law consists, it is hardly necessary to state, of the leading authorities of all nations, and the Endowment requested the Institute to act as advisor to the Division of International Law.

The Institute accepted the invitation and selected a committee which has acted as advisor to the Director.

The Division has under way several works. The first is a collection and publication of all general and special treaties of arbitration, and, in regard to the treaties of the nineteenth century specially, the Endowment would be very grateful to the publicists of Latin America if they would supply information on certain

questions of this nature, which is best known to them and which may perhaps be known only to them; and the Trustees would regard it as a very great favor if the governments of Latin America would supply copies of such treaties, as it is very difficult to obtain at all times accurate and reliable texts. All known instances of international arbitration will be collected and published with notes.

The Institute of International Law which now acts as Counsellor for the Division of International Law was founded in Europe in 1873, but, although the Institute represents "the universal juridical conscience," many jurisconsults have felt the need of an institution which should represent the juridical conscience of America, study the problems which concern particularly the New World and examine from the American point of view general matters relating to the Law of Nations.

As you are well aware an American Institute of International Law was founded in 1912 by Señor Alejandro Alvarez of Chile and Doctor James Brown Scott, Director of the Division of International Law of the Endowment. This Institute contemplates the formation of National Societies of International Law in all American countries, to be affiliated with it, and work in studying American problems, in making known their principles and in contributing to a better understanding among nations.

Lest I should seem to state in exaggerated language the aims and purposes of the American Institute of International Law, of which Mr. Elihu Root is Honorary President, let me quote a passage from a distinguished Dutch scholar and professor of international law, who may be supposed to treat the subject with more detachment.

After having spoken of the great example America has given to the world in undertaking the codification of international law, he says:

"The second example is given us by an Institute essentially scientific but scarcely inferior in moral value. This Institute has for its objects: (1) To aid in the development of international law; (2) to unite the common sentiment for international justice; (3) to procure a general acceptance of peaceful procedure in the settlement of international disputes among the American States.

"This luminous idea sprung from the conviction that it is better to spread conceptions of right and justice by a slow but constant appeal to the minds and hearts of peoples than by diplomatic negotiations which are not based on a general popular sentiment.

"If one considers that the peace movement in America is much more general than elsewhere and that it rests on a religious foundation or on a community of interests and enviable characteristics, one can appreciate this new proof of a virile progress which is brought to us from the other side of the ocean; it gives new life to our hopes and redoubles our efforts."

Mr. Root and his associates attach the highest importance to the establishment and successful operation of the American Institute of International Law and of its affiliated societies in each of the American countries.

The Endowment now grants a subvention to the older Institute founded in Europe. This subvention is designed to cover the traveling expenses of the members of the Institute, the expenditures of the commission and the publication of their work. The new Institute can count upon receiving financial aid from the Endowment, as soon as the National Societies are thoroughly organized, and upon being placed on an equality in this regard with the older Institute.

*The American Journal of International Law* which, with some slight modification, might become the organ of the American Institute, receives now an annual subvention from the Endowment.

Another institution in which the Division of International Law is greatly interested and which it will subvention and maintain with much pleasure is the Academy of International Law which it is proposed to establish at The Hague.

The proposal was made at the second Hague Peace Conference to create an Academy of International Law. No action was then taken, but the idea has commended itself to publicists of many nationalities. A committee of Dutch publicists, under the presidency of Mr. Asser, whose recent death we all deplore, suggested that such an academy be created and installed in the Peace Palace at The Hague.

Mr. Asser's proposal contemplates systematic instruction during the summer months in international law and cognate subjects by a specially constituted and changing faculty, to be chosen from publicists of different countries. Courses of lectures on important and timely subjects would be given by publicists who, in addition to long theoretical training, have had large experience in the practice of international law.

Mr. Asser also proposed that the governments should be interested in the Academy and invited through diplomatic channels to designate appropriate officials of various branches of the governmental service to attend the Academy.

The Institution would be unique in its summer sessions, unique in its small and changing faculty, and unique in its student body, drawn from every country.

The Academy would thus advance the work of the Endowment, but it would not be a direct agency of the Endowment nor under its control.

Mr. Root directed me to submit to your consideration the project of this Academy and ask the support of all the Latin American republics that they may designate one or more of their citizens to attend the lectures and follow the course of instruction at the Academy.

A matter to which I desire to call your present attention is the establishment of national committees to determine what subjects are to be embodied in the programme of the next Peace Conference at The Hague; it will be the duty

of these national committees to get into touch with the national committees organized in the various other American countries.

It is common knowledge that the second Peace Conference of 1907 recommended the meeting of the third Conference to be held at a period approximately equal to that which had elapsed between the first and second Conferences, that is to say, eight years, so that, if the recommendation is carried out, we may expect the third Conference to meet approximately in 1915. It was further provided in the recommendation that about two years before the probable meeting of the Conference an international preparatory committee should be constituted by common accord among the powers.

It is evident that the different countries which will be invited to The Hague should consider all these important matters before the constitution of the international preparatory committee, and it seems advisable—indeed necessary—that each government should appoint a committee to consider these matters in detail in order that the governments should be able to make their recommendations in the fulness of knowledge.

It is not expected that the American States should present a series of joint projects to the Conference, or joint recommendations, but it would greatly facilitate matters if the different governments should communicate their views so as to reach an agreement upon the subjects which in their opinion should be presented and which might form the subject of international agreements.

The five subjects which I am directed to lay before you and to solicit your coöperation therein are therefore, as follows:

The formation in each country of a National Society of International Law to be affiliated with the American Institute of International Law;

The establishment in each country of a National Society for International Conciliation to be affiliated with the parent Association for International Conciliation at Paris;

The appointment of National Committees for the consideration of contributions to the programme of the next Hague Conference, and for making arrangements for the inter-communication of such Committees among all American countries;

An educational exchange between the South American Universities and those of the United States, and international visits of representative men;

The participation of the American governments in the proposed Academy of International Law at The Hague, by providing for the sending on the part of each government of one or more representative students to that Academy.

Allow me to employ a final quotation from Mr. Root's instructions to me:

“The Trustees of the Endowment are fully aware that progress in the work which they have undertaken must necessarily be slow and that its most substantial results must be far in the future. We are dealing with aptitudes and impulses firmly established in human nature through the development of thousands of

years, and the utmost that any one generation can hope to do is to promote the gradual change of standards of conduct. All estimates of such a work and its results must be in terms not of individual human life, but in terms of the long life of nations. Inconspicuous as are the immediate results, however, there can be no nobler object of human effort than to exercise an influence upon the tendencies of the race, so that it shall move, however slowly, in the direction of civilization and humanity and away from senseless brutality. It is to participate with us in this noble, though inconspicuous, work that we ask you to invite our friends in South America with the most unreserved and sincere assurances of our high consideration and warm regard."

Excellencies, Ladies and Gentlemen: Before concluding I wish to express again to you my most sincere thanks for the great honor which has been done me, and to testify my profound gratitude for your warm and sympathetic welcome.

### Remarks of Señor Emilio Barbaroux, Minister of Foreign Affairs,

AT A DINNER GIVEN BY HIM FOR MR. BACON, AT THE URUGUAY CLUB,  
MONTEVIDEO, OCTOBER 21, 1913

[*Translation from the Spanish*]

*Mr. Bacon:*

In your address last night you summarized the purposes of your mission, telling us that where there is a nation there is also a law of nations, and that in all cases of misunderstanding between nations, conciliation should be preferred to arbitration, and arbitration to war.

Although facts from their very nature show that the thought of suppressing appeals to arms is as yet in the realm of idealism, nevertheless, every earnest effort directed to this end should deserve our approval and our sympathy; and they have already been accorded you by the representative men of our intellectual world. In tendering you, then, tonight, on behalf of the Government, this farewell dinner, as a token of friendship, my earnest prayer is that the mission entrusted to you by the eminent Mr. Root may in the near future bear the fruit which this great movement of international brotherhood merits.

I beg you, ladies and gentlemen, to join me in this prayer, and to express at the same time our heartiest wishes for the happiness of Mr. Bacon, of his charming family and of the friends who accompany him.

### Response of Mr. Bacon

[*Translation from the Spanish*]

*Excellencies, Ladies, Gentlemen, Mr. Minister:*

I thank you most cordially for your very kind words addressed to my humble self, for those touching my beloved land and for the honor of this brilliant gathering. I desire also to repeat my profound thanks for the very hearty welcome given me by you, Mr. Minister, and by your fellow-citizens, extended with

the proverbial affability and hospitality of the courtly Spanish race, which has been preserved so pure in this lovely Uruguayan land.

We Americans of the North are proud of our progressive sisters of the South. Among these the noble and charming Republic of Uruguay takes a prominent place, due not only to the culture of her people, the virility and strength of the race, but also to the progress she has achieved. We entertain the very best wishes for your prosperity. Profoundly grateful that the relations of the past redound to the credit of our common continent and that our present relations are harmonious, may we not hope that these good relations will not only be perpetuated, but strengthened in the future, and that with each added year our relations will become more intimate, more confidential, in a word, more fraternal.

The noble words spoken by Mr. Root in 1906 at the Pan-American Conference represent the sentiments and the ideals of the people of the United States as truthfully and as forcefully today as when they were spoken seven years ago. I like to think of this memorable declaration as the "Root Doctrine"—and I am proud to be considered worthy to speak of it as a humble apostle.

The Trustees of the Carnegie Endowment believe that the ideals of the great thinkers can be advanced more quickly to the benefit of the world by uniting their efforts in certain well-defined, practical activities.

If you join us in this work of intellectual union and concord, if the Latin American countries and the United States unite in a constant effort for the improvement of the relations between peoples, if all the countries of this hemisphere work in unison toward a common ideal, there will then be created a powerful instrument for good which can not fail to benefit our continent, the world, and humanity.

Once again, Excellency, I thank you from my heart. Although much to my regret my stay among you must be short, yet the progress of your country and the warmth of your welcome have made an impression that will never be effaced. Before leaving this beautiful city, permit me to say that I take with me feelings of personal affection for you and that I should like my farewell to be not "good-bye," but "till we meet again."

I drink to the health of the President of the Republic of Uruguay.



## APPENDIX V

### *Chile*

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#### Reception at the University of Chile

REMARKS OF THE RECTOR OF THE UNIVERSITY. DR. DOMINGO AMUNÁTEGUI SOLAR IN  
CONFERRING A DIPLOMA UPON MR. BACON,  
SANTIAGO, OCTOBER 25, 1913

[*Translation from the Spanish*]

The University of Chile is gratified to greet the Hon. Mr. Bacon and to welcome him as an honorary member of its Faculty of Law and Political Science.

I present you, Sir, this diploma with the hope that it will serve as a link of friendship with the university to which you belong, be a token of recognition for your personal attainments, and attest our great respect for the Carnegie Endowment you so worthily represent.

#### Address of Dr. Luis Barros Borgoño, Dean of the Faculty of Filosofía y Humanidades, University of Chile,

SANTIAGO, OCTOBER 25, 1913

[*Translation from the Spanish*]

#### *Ladies and Gentlemen:*

It is a pleasure to me to perform the task assigned me by the Board of Public Instruction of welcoming, on behalf of the University of Chile, the illustrious American statesman, Mr. Robert Bacon, formerly Secretary of State of the great Republic of the North and its Ambassador to France, and now a prominent member of the University of Harvard, distinguished emissary of the policy of international conciliation, apostle of peace and powerful promoter of the happiness and welfare of mankind.

I am convinced that of all his honors—and they are many—and of all the high offices he has held, none is more highly prized by the clear and forceful mind of Mr. Bacon, and none will contribute to shed greater glory on his brilliant personality than the mission which he is now undertaking on behalf of the institution which is destined to dispense still greater benefits among civilized peoples, and to which the land of Carnegie can point with legitimate pride as the greatest work conceived in any age to the greater glory of civilization.

The ideal of international solidarity, the dream of philosophers and poets is today receiving devout attention from the statesmen of the greatest nations.

The idea of the foundation of peace societies, advocated for the first time in 1814 through the religious spirit of the Quakers of America, finds fertile soil in that great centre of the agitation of ideas, France, in 1848.

In the midst of that romantic wave of universal regeneration, in the midst of all those economic and social systems convulsed by the new spirit, Paris, with faith in the principles of general solidarity, gives the world the first real international peace congress.

It is the age when Cobden, apostle of commercial freedom, is shaking the whole economic system of England with his powerful genius, harmonizing the interests of his country with the great interests of humanity.

It is the time when the prophetic spirit of Victor Hugo foresees a humanity governed only by the laws of equity and justice.

The poet foretells, as it were in a vision, the task to which Mr. Carnegie, this great toiler for humanity, consecrates today his titantic efforts.

"The day will come," said Victor Hugo in one of his most inspired passages, "when there will be no other field of battle than the markets open to commerce, to intelligence and to ideas. The day will come when the august arbitration of a great sovereign senate will be to Europe what Parliament is to England, the Diet to Germany, and the Legislative Assembly to France."

The second half of the nineteenth century is marked by the Peace Leagues of Paris and Geneva. These have in turn by their propaganda brought into being hundreds of general and local societies through the work of the International Bureau of Berne, the Institute of International Law and the numerous peace associations which under the glorious standards of Lemonier, Passy, Simon and d'Estournelles de Constant today march triumphant toward the goal set up by their heroic efforts.

The great capitals of the world resound year by year with the voices of the most representative men of all nations who step by step are hastening the day of true and lasting understanding among nations.

Under the chairmanship of Jules Simon there met for the first time in Paris members of the English, Spanish, Belgian, German, French, Italian, Danish, Greek and Hungarian Parliaments.

This was not, as in the peace congresses, an assembly of men inspired with the lofty ideal of universal peace, but devoid of all authority; rather was it the union of statesmen, of active parliamentarians, solemnly binding themselves to labor in their respective congresses for the realization of the programme of peace and arbitration.

Year after year this Conference has assembled, with growing success in Paris, London, Rome, Berne, at The Hague, in Budapest, Brussels, Milan, Monaco and Lucerne; and by the end of the last century this interparliamentary union had on its roll fifteen hundred members, committed to the triumph of the noblest cause under which men may range themselves: "Justitia e Pace"—by Justice and by Peace.

The visit of the Scandinavian members of Parliament to France and the return visit of the French statesmen mark a period of real understanding between these nations.

The cause of peace later received its greatest impetus on the occasion of the visit of the French parliamentarians to London and the return of this visit by the English statesmen, thus bringing about an agreement of great significance between these two nations which has made possible the entente cordiale on which rests today the peace of the world.

The visit of Mr. Root, still fresh in the memory of the American nation and of our own people, marked for us a definite era in our international relations; it opened the furrow, the seed was sown, whence has sprung the grain to nourish the life of mutual understanding and international solidarity between the great Republic of the North and the different States of Latin America.

The crowning effort, however, of the present age in the cause of peace is The Hague Conference.

The advent of this peaceful revolution has left to the coming century the fruitful task of maintaining peace as the aim of the foreign policy of every civilized nation.

Two moral results of transcendental importance to the western nations have been derived from that august assembly.

The first consists in the express manifestation of the world longing for peace among all civilized peoples.

The second is the material and moral possibility, every day becoming greater, of resorting to arbitration in every difference. If it has not been possible to suppress warfare entirely, it has at least been possible to lessen the possibilities thereof, while its horrors have been in part mitigated.

The work achieved unquestionably constitutes a great victory for the cause of right; it proves that the love for justice pervades the atmosphere of international relations, and justifies the belief that the day of caprice and of violation is over, and that law, equity and the interests of humanity and civilization are every day more and more respected throughout the world.

The Conference was unable to give form to the fundamental idea proposed of limiting armaments; but it did succeed in creating a juridical court of arbitration.

The Institution was born; to-day it has its president, its members, its palace, its journal and its own budget.

The corporation is officially recognized as a tribunal by every civilized state.

The new law is solemnly recognized and established, and the substitution of judicial settlement for appeals to force is likewise acknowledged.

Through the generosity of Mr. Carnegie this Tribunal has been housed in a palace worthy of its lofty mission.

"In this place," has said Mr. Carnegie, "will meet the most sacred conclave that has ever honored humanity in any epoch of history."

The temple, as its founder has called it, has just been solemnly inaugurated, the ceremony having taken place on the 28th of August, 1913, in the presence of the Queen of Holland, all the members of the Government and the envoys of all the powers represented at The Hague Conference.

This imposing ceremony, unique of its kind, had distinctive characteristics. It was simple, austere, shorn of all military display; only the chimes from the Palace of Peace proclaimed to the world that the clock had started on that journey which should end only when the hour of eternal peace has struck. In these words did the Minister of Foreign Affairs of Holland express himself, not, however, without adding his fear that that day was still distant.

The other address of that memorable occasion was delivered by Mr. van Karnebeek, President of the Board of Directors of the Carnegie Foundation for the Peace Palace.

The work entrusted to The Hague Conference although of very great significance, does not meet the requirements of the Carnegie Endowment program, which embraces vaster and more diversified projects.

As a cardinal principle, the Endowment undertakes to sustain various societies whose purpose is to effect in concrete form a better understanding between nations, to make the mutual knowledge of friendly peoples more real and to multiply the ties of friendship and concord between the great countries of the world.

In the furtherance of these ends, it has a Division of Intercourse and Education comprising the exchange of professors, students and literary works; it maintains a Division of Economics and History, and devotes particular attention to its Division of International Law and the special Academy of this branch of human knowledge established at The Hague under the auspices of the powers signatory to the Conference.

These various activities of the beautiful and comprehensive program of the Carnegie Endowment are of the greatest importance to all civilized nations, and yet they remain unknown and untouched by the Latin American countries, notwithstanding the benefits that would accrue to them therefrom.

To make known this praiseworthy work, to stimulate public opinion in these countries and to secure the coöperation of their public men in favor of this noble crusade, is the purpose of this visit to us which the people of Chile regard as an event of far-reaching importance.

But if certain of the objects of the Carnegie Endowment call for the sympathetic support of governments, there are, on the other hand, many others which demand the special coöperation of men of science, of professors and specialists in international law and of teachers of history and economics.

It is for this reason that our University has associated the whole of its personnel with this undertaking, and it is convinced that so soon as the members realize the different aims of the mission they will earnestly coöperate to the fulfilment of these purposes, each collaborating in his own particular sphere. And in doing so they will bring the work within the scope of international politics, the study of which has been traditional in this Republic.

Chile has the honor of occupying the fourth place among the countries that have resorted to arbitration during the nineteenth century. Statistics show that

Great Britain is first with 86 arbitration treaties, the United States of America second with 66, France third with 38, and, then, Chile with 28 to her credit.

But the greatest work in this direction is that accomplished by Chile and the Argentine Republic in signing the treaty of May 28, 1902, whereby they limited their armaments, a purpose that so far The Hague Conference has striven in vain to effect.

And this fact has not passed unperceived. In his notable address in favor of arbitration to the students of the University of Saint Andrews, Mr. Carnegie pointed to this treaty as one of the most advanced in realizing the principles of the Endowment's program.

"The greatest step taken in this direction," says Mr. Carnegie, "is to be found in the treaties celebrated between Denmark and Holland, and between Chile and the Argentine Republic whereby these countries agreed to submit all differences of any nature whatsoever to arbitration."

It has been held that to America belonged, in the nineteenth century, the initiative of arbitration, and that the nations of this continent have maintained and widened the scope of this judicial proceeding, even though they have not yet formulated a general definite program.

And it is not, indeed, a difficult matter to prove that none of these nations has more frequently appealed to and used this peaceful means of adjusting differences with other nations than has Chile. In one of her oldest treaties, celebrated sixty years ago, the Government of Chile expressly declared that it set forth "with pleasure the idea of arbitration, which it has always regarded as the only just, legal and logical means of settling every international difference."

The mission of peace and judicial settlement will accordingly find a fruitful field in our country; and if it has occasionally been found necessary to resort to the stern necessity of war in defense of what the country has deemed its rights, this step has only been taken after every recourse to conciliation and arbitration had been exhausted.

The arduousness of earning a livelihood which the peculiar topographical conditions have imposed upon the Chilian people, the habits of order and the exercise of free democratic institutions which has characterized her national life, her social organization and the prosperity of her agriculture and commerce, in a word everything which calls for the great blessings of peace, has led the people of Chile to rest their prosperity, their development and their welfare solely on peace.

This Republic must then be an enthusiastic and active coöperator in the work of general conciliation and political solidarity espoused by the Carnegie Endowment.

From the Temple of Peace there peals forth the clear and triumphal note of the new law when judicial proceedings will supplant appeals to arms and violence.

What has already been done augurs well for the not distant triumph of these principles of justice and universal peace.

The word of Mr. Bacon, now our guest, is doubly significant, first by virtue of his great learning and acknowledged mastery of public affairs, coupled with long experience, and, secondly, by reason of the exalted and distinguished representation with which he is invested. His eloquence will paint for us the picture of the noble and beneficent work he has done so far, it will tell us of his hopes and aims for the future, and so better fit us for the task of associating the different elements that will be needed to place the work of the Carnegie Endowment on a firm foundation in our country.

### Address of Mr. Bacon

[*Translation from the Spanish*]

*Excellencies, Mr. Rector, Mr. Dean, Ladies, Gentlemen:*

Pray pardon me if I make bold to address you in your beautiful language whose rhythm attracts me irresistibly but which, to my deep regret, I speak but haltingly.

I am profoundly touched by the thought of being present in this room, a veritable temple of science and letters, under the auspices of your most distinguished intellectual leaders.

Among the many duties which have left pleasant memories from the moment I first set foot in this hospitable and beautiful land, one of the highest and pleasantest is to thank the University of Chile for the great honor done me in admitting me to honorary membership in its Faculty of Law and Political Science.

I well know the glorious traditions which, in the intellectual order, since the middle of the last century, have made the University of Chile one of the greatest centres of learning of South America. On this occasion I shall confine myself, however, to referring to only two of its many illustrious rectors whose names the world has inscribed on its roll of eminent scholars: Bello, internationalist, codifier, and litterateur, and Domeyko, naturalist.

I can fully appreciate, therefore, the distinction done me by the University of Chile and by its Rector, and I shall prize it as long as I live.

In my own name, and in that of the eminent statesman whose mission I bear, Senator Elihu Root, I thank you with all my heart for your welcome and for the flattering words addressed to my humble self and so little deserved.

I also want to testify my gratitude for the reception which has been accorded me with the affability and generous hospitality so proverbial of the courtly Spanish race.

My visit to these fascinating South American countries has been most gratifying. There have filed past before my wondering eyes divine panoramas of this marvelous continent, fertile valleys, mighty rivers, majestic forests, fantastic cordilleras, placid lakes of crystal waters, rushing torrents which keep babbling the glorious hymn of liberty. All this has increased my respect and admiration

for the new people and the new races which will mark fresh eras for the human race in the great future in store for America.

The impression I received when I arrived yesterday in your country will never be effaced from my memory. The hearts of the people of Chile should swell with legitimate pride when they think of their glorious country. The fascination of your mountains whose glow, whose balin and harmonies are the soul of this land, would bewilder any spectator. The poet Wordsworth has said that the voice of freedom is best heard in the mountains and in the sea. If this is so, then Chile is the land where the sweet voice of freedom will ring in clearest tones.

I come charged with a message of good-will from your devoted friend, Mr. Elihu Root, at whose request, added to my own desire, I have the honor to appear before you. I wish I could say to you all that he would say were he here in person to address you and to greet you as an old friend. The expressions may differ, perhaps, but I assure you the spirit which animates them is entirely the same.

I invite you then, gentlemen, to co-operate in the establishment of international institutions which will be, we hope, centres of good-will which will develop and popularize just and progressive principles of international law and which will in various ways, directly and indirectly, by an exchange of thought and exchange of views and the happy combination of effort, result in strengthening the bonds of friendship which a common past, common institutions and a common goal suggest and require.\*

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### Circular Note

OF THE NATIONAL SOCIETY OF INTERNATIONAL LAW,  
SANTIAGO DE CHILE, JANUARY, 1914

[*Translation from the Spanish*]

Sir:

The civilized world is aware of the noble and strong impetus given by Mr. Andrew Carnegie to the common effort for universal concord.

The study and diffusion of international law has been, and still is, one of the most efficient means of strengthening the principles of conciliation, the peaceful settlement of differences between foreign nations and the ever increasing hope of peace among the states admitted by international law.

Eminent publicists from every country have enthusiastically welcomed the formation of an American Institute devoted to the study of international law, and of National Societies in different countries to collaborate with the parent institution.

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\*NOTE: The asterisks represent that portion of the address which, being a technical description of the work and purposes of the Endowment, was necessarily a repetition of what was said on that subject at the Ateneo in Montevideo. The translation is not repeated.

During the recent visit paid us by Mr. Robert Bacon, on the initiative of Mr. Root, an invitation was extended to us to establish in Chile a filial institution similar to that constituted in Washington, presided over by Mr. Root, and whose Secretary is our distinguished fellow-citizen, Don Alejandro Alvarez.

The main purpose of the American Institute and of the national societies affiliated thereto is purely scientific.

All political discussion or any idea which is susceptible of influencing directly or indirectly the political life of the different nations is excluded from the deliberations.

The regular subject of the programme will be discussed by the Society solely from the viewpoint of the doctrine of law involved and of its application.

The American republics, united by so many common bonds and by the democratic character of their institutions, will find to an even greater degree than the other nations forming part of the American Institute of International Law, a semi-official organ in which to advance their ideas on terms of absolute equality, while at the same time becoming acquainted with the ideas prevailing in the other republics. They will thus secure a moral guarantee for the conduct of their relations, from which will result a closer union within the principles of right and justice.

The nations of this continent need to know one another better. The exchange of ideas brings in its train a union of sentiment and the intimate association of men and the exchange of principles between the different nations of the New World will do much to bring the states into closer harmony. The Society of International Law will realize in the vast realm of the mind and culture perhaps as much as is accomplished by the Pan-American Conferences in their official sphere of action.

The purposes of the National Society of International Law, of which we have the honor to invite you to become a charter member, are the same as those of the American Institute of International Law, with the slight differences inherent to our national life.

The National Society of International Law accordingly purposes:

- 1.—To contribute to the development of international law, and to compel the acceptance of its general principles among nations, and especially among those of the American Continent.
- 2.—To contribute to the study of the problems of international law, paying particular attention to such as are peculiarly American in character, and to solve them in accordance with the already generally accepted principles, without abandoning, however, the doctrines which Chile has always sustained.
- 3.—To work toward the codification of international law, in accordance with the traditions and doctrines of humanity and of our national history.
- 4.—To diffuse knowledge of the peaceful means of settling international disputes.



The Society will have three classes of members: charter members being such as accept the present invitation, regular members such as may join at a later date, and honorary members, not to exceed five in number, such as this National Society may propose to the American Institute.

The Society purposes to draft and discuss at general meetings proposals, resolutions and decisions relative to any or all of the subjects, comprised within the purposes above enumerated.

Its resolutions will be forwarded to the American Institute, which shall take them into consideration at the sessions to be held at least once every two years, and to which all honorary members of the Society shall be invited.

The Society shall have a Board of Governors for the management of its affairs.

The fees shall be twenty-five pesos per annum.

If you should be of opinion that this invitation is worthy of your acceptance, we should be obliged to you if you would return the enclosed form duly signed.

We have the honor to be, etc.

LUIS BARROS BORGOÑO,  
ANTONIO HUNEUS,

DOMINGO AMUNÁTEGUI S.,  
RICARDO MONTANER BELLO.

## APPENDIX VI

### *Peru*

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#### Address of Dr. Romero,

DEAN OF THE FACULTY OF JURISPRUDENCE OF THE UNIVERSITY OF SAN MARCOS.  
LIMA, NOVEMBER 6, 1913

[*Translation from the Spanish*]

*Gentlemen:*

The Carnegie Endowment for International Peace which aims to promote and further this idea, has named the Honorable Robert Bacon, formerly Secretary of State and Ambassador of the United States to France, as its delegate on this mission of peace and brotherhood.

In 1910 Mr. Andrew Carnegie donated the sum of ten million dollars in order that the Trustees named by him should apply them to the purposes of the Endowment. These purposes have been expressed by the Trustees as follows:

The scientific investigation of the causes of war and the practical methods to prevent or avoid it; to train public opinion regarding the causes, nature and effects of war; to establish a keener appreciation of international rights and obligations, and to quicken the sense of justice among the inhabitants of civilized countries; to promote a general acceptance of peaceful means for the settlement of international disputes; to promote sentiments of friendship among the peoples of different countries and to increase the knowledge and common understanding among nations; to aid in the development of international law toward a universal agreement as to its laws; to aid such organizations or societies as may be needed in the advancement of the objects of the Endowment.

The great philanthropist, Carnegie, not only conceived this beautiful idea, but furnished the means to realize it by donating a sum hitherto unheard of for such purposes and perhaps not even imagined in the wildest fancy. By this means he made that generous purpose a practical one and contributed most efficiently towards stopping war or at least mitigating its horrors.

The idea is indeed a lofty one, worthy of American genius, the creator of so many colossal enterprises, that genius which has made the United States of America great in its power, in its wealth, in its territorial expansion, and in the eminent men whose rapid rise in science, in the arts and in statecraft has been the wonder of the age.

If the Americans have been the first in peace and the first in war, they are now, through the generosity of a multi-millionaire, setting on foot a movement which will lead them to be the first in the hearts of those countless victims whom they will save from one of the worst scourges that has so often been visited upon the world.

As apostle of this mission of harmony and brotherhood, as messenger of this Christian and civilizing purpose and as leader of this idea which quickens every heart, there is with us to-day a great statesman, a man pre-eminent for his learning, contact with whom reveals the power of his mind and the bigness of his heart.

I present him to you, Mr. Rector, and my esteemed colleagues.

He is not unknown to you. A graduate of Harvard, he is to-day one of her Trustees and a Fellow of that institution. It is not, then, merely in obedience to the mandates of courtesy that he is among us to-day. He is here by virtue of his academic titles and of his position in shaping the destinies of a great centre of learning, of far greater renown than our own.

It was only a short time ago that he directed with rare skill the foreign affairs of the greatest of republics; yesterday he was Ambassador to one of the European nations, and to-day, coming as ambassador of the most noble mission known to me of goodwill, he stops for a little while in the oldest university of this continent, in the ancient institution founded by Charles V in 1551, which is pleased to welcome, even though it be for a brief moment, one of the favored sons of the greatest of our sister institutions.

But apart from this motive for satisfaction, our University wishes to have the honor of counting him among her own members, and that his words be engraved on these walls, which still resound with the echo of the words of our most learned educators and greatest public men.

Mr. Bacon is going to do us the honor of explaining personally the object of his mission, so that we may have the benefit of hearing from his own lips the important message he bears. He has also consented to pay the Faculty of Jurisprudence of this University the very high honor of becoming an honorary member.

Distinguished Sir: Welcome to our University, and, as herald of the noble idea of peace and brotherhood, take back to your mighty nation our message of sympathy and admiration for the work of the great Carnegie, which is being so ably carried out through the wise direction of its Trustees, and of our abiding faith in its final success through the vigorous impulse of such eminent men as Mr. Root and Dr. Scott, and your own undaunted efforts.

### Address of Mr. Bacon

*[Translation from the Spanish]*

*Mr. Rector, Gentlemen:*

You will pardon me, I know, if on this historic spot before such a distinguished gathering of leaders of thought and men of letters, I make bold to address you in the beautiful Castilian tongue, so sweet, so rich and so sonorous. Would that I could command it in order to make you feel my own thoughts: the intense sentiment of sympathy that fills me on appearing before such a distinguished body, no less than my deep gratitude for the signal honor done me

by the University of San Marcos, this pioneer institution of the New World, in conferring upon me the diploma of honorary member of its Faculty of Jurisprudence.

I value this great honor done me by the University and by its distinguished Rector with all my heart and in all its worth, and I shall prize it as long as I live. The fame of your institution in the world of science and letters is both well merited and glorious, and I am proud to belong to such a high and distinguished centre of culture.

In my own name and in that of the great statesman whose mission I bear, Senator Elihu Root, I thank you, Sir, most heartily for your kind words. The hospitable reception given me by the people of Peru, gracious queen of the Andes, land of the Incas, has filled me with joy.

Those august emperors represent the inspiring past, brimming with mystery and splendor, and the vast resources of your beautiful land and its chivalrous race presage a future no less glorious and brilliant.

The condor, symbol of liberty, soaring in dizzy heights, delights his piercing gaze by contemplating this free and prosperous country progressing toward the ideal of all peoples—peace and prosperity.

On arriving in this land of sunshine, I am moved with admiration; I feel happy when I breathe the balmy air of your mountains, when I contemplate your majestic Andes as they encircle this beautiful Peru in loving embrace. It is a real pleasure to me to visit if even for a few days, fewer than I would wish, this noble country whose history has always attracted me from my early youth.

I come charged with a message of goodwill from your devoted friend and great admirer, Mr. Elihu Root, at whose request, added to my own desire, I have the honor to appear before you. I wish I could say to you all that he would say were he here in person to address you and to greet you as an old friend. The expressions may differ, perhaps, but I assure you the spirit which animates them is entirely the same.

On his behalf I invite you to coöperate in the establishment of international institutions which will be, we hope, centres of goodwill which will develop and popularize just and progressive principles of international law, and which will in various ways, directly and indirectly, by an exchange of thought and exchange of views and the happy combination of effort, result in strengthening the bonds of friendship which a common past, common institutions and a common goal suggest and require. \* \* \*

The sentiments of solidarity and fraternity which united the countries of the New World in a community of interests should create a work of union and concord. The way is already open; numerous and fruitful results have been obtained; the time has come, therefore, to establish in ever increasing measure good understanding and harmony. Above all, it is necessary to correct the misunderstanding of the South of the political purposes of the United States. You

will recall the solemn declaration of my eminent chief, Mr. Root, at the Third Pan-American Conference held at Rio de Janeiro:

“We wish for no victories but those of peace; for no territory except our own; for no sovereignty except the sovereignty over ourselves. We deem the independence and equal rights of the smallest and weakest member of the family of nations entitled to as much respect as those of the greatest empire, and we deem the observance of that respect the chief guaranty of the weak against the oppression of the strong. We neither claim nor desire any rights, or privileges, or powers that we do not freely concede to every American republic. We wish to increase our prosperity, to expand our trade, to grow in wealth, in wisdom, and in spirit, but our conception of the true way to accomplish this is not to pull down others and profit by their ruin, but to help all friends to a common prosperity and a common growth, that we may all become greater and stronger together.”

President Roosevelt, in his message to Congress in December 1906, stamped these memorable words of his Secretary of State with his approval, and declared that they faithfully represented the sentiments of the American people. These same words still represent the sentiments, the ideals of the people of the United States with the same truth, the same force as when they were spoken seven years ago. I like to think of this memorable declaration as the “Root Doctrine”—*a doctrine of sympathy and understanding, of kindly consideration and honorable obligation*—and I am proud to be considered worthy to speak of it as an humble apostle. Our country desires above all that peace and prosperity should reign in Latin America. \* \* \*

The name of the institution I have the honor to represent, the Carnegie Endowment for International Peace, at times creates an erroneous impression as to the cardinal purposes of the Endowment, as also to the means used in attaining it. The Endowment might well be called an Endowment for International Friendship for where friendship and good understanding between nations exist peace is the natural consequence. The specific ends which the Endowment pursues may then be summarized as follows:

To foster the ties of friendly relationship between nations, and the development of international law. These two purposes are closely interwoven: each is the cause and effect of the other.

In working along these lines the Endowment does not hold itself out as a missionary of peace, nor does it try to preach its own ideas in the world, but it strives to encourage in each country those national activities which tend toward the attainment of international friendship and the development of international law. The means it employs and proposes are practical means.

These purposes and objects fall naturally into three groups: One which treats of the creation of public opinion in favor of the peaceful settlement of international differences; another of the investigation and study of the causes

of war; and the third of the principles of right and justice which would settle and prevent the controversies that have embittered the relations between countries in the past. \* \* \*

**Address of Señor Tudela y Varela, Minister of Foreign Affairs,**

AT A BANQUET GIVEN BY HIM FOR MR. BACON,  
LIMA, NOVEMBER 7, 1913

*[Translation from the Spanish]*

*Mr. Bacon:*

It is with very great pleasure that I tender you this banquet on behalf of the Government of Peru, which fully appreciates the high purpose of your visit.

Skilled diplomat, formerly Secretary of State and Ambassador to France, distinguished member of the Board of Trustees of Harvard University, advocate of right, you represent the highest order of thought in your country.

The success of your civilizing and humanitarian mission will undoubtedly be in keeping with these exalted titles, not only on account of the renown they represent in themselves, but because our Western World has always been eager to encourage every noble and generous effort.

You may rest assured, Mr. Bacon, that the ideals of the American Institute of International Law will find here the warmest of welcomes. Peru may proudly boast that she has proclaimed these ideas at every moment of her history, and she entertains the hope that they will some day effectually prevail, overcoming the inevitable obstacles with which human frailty has blocked the path of the complete triumph of right.

I beg that the ladies and gentlemen will now join me in my wishes for the happiness of our distinguished guest, that of his charming family and for the prosperity of his great country.

**Response of Mr. Bacon**

*[Translation from the Spanish]*

*Ladies, Gentlemen, Mr. Minister:*

I thank you with all my heart for the flattering words in which you have referred to my humble self, for the courteous expressions touching my country and for this charming dinner offered me by your Government. I likewise wish to repeat my profound thanks for the cordial welcome I have received from you, Mr. Minister, and from your fellow-citizens, with the generous hospitality so characteristic of your gallant Spanish race.

The sympathy you have shown for my mission and your cordial promise of support fill me with gratitude, with joy and with hope for the future. I assure you that your friendship, your goodwill and your support are invaluable

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NOTE: The asterisks represent parts of the address, which were devoted to a technical description of the work and purposes of the Endowment and necessarily a repetition of what was said on that subject at the Ateneo in Montevideo and at the University in Santiago.

to us; if I may be permitted to borrow your expression, "they are worth a Peru to us."

We Americans of the North are proud of our progressive sisters of the South. Among these the noble and charming Republic of Peru takes a prominent place, both on account of the culture of its people, the virility of its race, the purity of its language, the progress of its present civilization, its marvelous history and the mysteries of its past civilization.

We know that this country is, in the language of the poet, "chest of early treasures, precious storehouse of the royal earth." The Andes and the Pacific encircle it in loving embrace, and the brave, noble and enterprising character of the Peruvian people derives its nobility from the majestic ocean and the towering mountains that surround this land.

When the Panama Canal has been completed, Peru will begin a new chapter in her history. Through this canal, the marvel of modern engineering, the ships of commerce will pass and scatter, like soldiers, to invade your ports; immigration will follow, and the European races will contribute to the development and growth of the agriculture, industry and commerce of this beautiful land of Peru, and to the opening up of its untold resources.

We entertain the very best wishes for your prosperity. We are happy in the thought that the relations of the past redound to the credit of our common continent; we are proud of the traditional friendship of Peru and the United States and we hope that these good relations will not only be perpetuated but strengthened in the future, and that with each added year our relations will become more intimate, more confidential, in a word, more fraternal. And this is to be expected from the members of one great family, inhabiting the same continent, having the same ideals and with the same destiny.

We hope that this beautiful land of the Incas will continue along the path of welfare and progress, and that its future may grow every day happier and brighter.

Gentlemen: To the Republic of Peru, to our illustrious host and to the distinguished ladies who have honored us with their presence.

### Remarks of Sr. Luis G. Rivera,

AT A RECEPTION AT THE CENTRO UNIVERSITARIO,  
LIMA, NOVEMBER 7, 1913

[*Translation from the Spanish*]

*Mr. Bacon:*

The Centro Universitario, representing the university students of Peru, is highly honored to receive you in its modest quarters. The student body, which knows what you have accomplished, which has followed your progress and which admires the energy and greatness of your people, begs you before you leave this capital to stamp in this humble house, inhabited by students who profess the same cult as you do, a mark of your friendship, to speak a few words of

hope and encouragement to the youth of Peru who love truth, respect justice and ardently desire that the supreme blessing of peace may triumph over petty interests and momentary differences.

Mr. Bacon, when you return to your great university, take with you our affectionate greetings to the students of North America; tell them that here in the land of the Incas they have many comrades and friends with the same ideals, the same enthusiasm; and you, eminent master, be assured that as you toil in the fulfilment of your task you will have our steadfast coöperation; bear in mind that the youth of Peru stand ready to share your noble labors and to sustain unflinchingly the doctrine of peace, white as the snow-capped crests of the Andes.

### Address of Dr. Manuel F. Bellido,

AT A RECEPTION OF THE BAR ASSOCIATION,  
LIMA, NOVEMBER 8, 1913

*[Translation from the Spanish]*

#### *Gentlemen:*

The Colegio de Abogados of Lima is honored in extending an honorary membership in its body to Mr. Robert Bacon who comes to us preceded by the fame of his high attainments. This fame has already reached you, and so you are aware that the present Trustee of the University of Harvard, former Secretary of State and Ambassador to France is now fulfilling a most important mission in the service of the noblest of causes: peace among civilized nations.

The beautiful ideal conceived by the great philanthropist, Mr. Andrew Carnegie, has led him to make an endowment of ten million dollars to further its realization. This great purpose may or may not be attained in a more or less remote future, but Mr. Carnegie has by his noble deed already earned the applause of all men of goodwill.

The Trustees in charge of administering this generous gift, organized a corporation whose purposes are as follows:

- (a) To promote a thorough and scientific investigation and study of the causes of war and of the practical methods to prevent and avoid it.
- (b) To aid in the development of international law, and a general agreement on the rules thereof, and the acceptance of the same among nations.
- (c) To diffuse information, and to educate public opinion regarding the causes, nature, and effects of war, and means for its prevention and avoidance.
- (d) To establish a better understanding of international rights and duties and a more perfect sense of international justice among the inhabitants of civilized countries.
- (e) To cultivate friendly feelings between the inhabitants of different countries, and to increase the knowledge and understanding of each other by the several nations.



- (f) To promote a general acceptance of peaceable methods in the settlement of international disputes.
- (g) To maintain, promote, and assist such establishments, organizations, associations, and agencies as shall be deemed necessary or useful in the accomplishment of the purposes of the corporation, or any of them.

The illustrious Mr. Bacon has been commissioned by the Carnegie Endowment to further the realization of this attractive program.

There are many who believe the abolition of warfare among civilized nations to be a Utopian dream, but even to these the purposes of the Endowment must command not only their sympathy but their coöperation as well, since, as Mr. Bacon said yesterday at the University of San Marcos, we may call the Carnegie Endowment an endowment for international friendship. Let us all coöperate toward that friendship, and peace must necessarily result.

And if this result is only a Utopian dream, let us at least hold on to it as one of the ideals of humanity, so that it may be a comfort to us on our pilgrimage, and may support our faith in the efficacy of our labors. If, on the other hand, peace among civilized nations becomes a splendid reality, let us not stop to determine the date of the triumph; this will be the work not of individuals but of nations; the men of the present generation will not see it, but their posterity will enjoy its blessings. Let us not lose heart; rather let us toil as he who sows the acorn, not for ourselves but for those who come after: let us do our part for the benefit of future generations.

Mr. Bacon, one of the objects of your mission is that of "aiding in the development of international law and a general agreement in the rules thereof, and the acceptance of the same among nations". The members of this association, by reason of their profession, are bound to work toward the advancement of this division of the science of law, and it is my hope that they will give it due consideration.

We have been pleased to confer on you, who have made a special study of this branch of the law, the title of honorary member of our association, and your acceptance honors us. Your name will take its place with other illustrious men, such as that of the eminent Elihu Root, and be an ornament to this institution.

Mr. Bacon, I confer upon you an honorary membership in the Bar Association of Lima.

### Address of Dr. Aníbal Maúrtua

*[Translation from the Spanish]*

*Gentlemen:*

This respected Bar Association of Lima has just performed an act of appreciation by extending an honorary membership to Mr. Robert Bacon, the eminent North American statesman, who, in fulfilment of the mission entrusted

to him by the Carnegie Endowment for International Peace, has done us the honor of a visit.

The day before yesterday in the course of a notable address which Mr. Bacon delivered on the occasion of being admitted as an honorary member of the Faculty of the University of San Marcos, he set forth in detail the purposes and aims of the Endowment.

The Carnegie Endowment is not a society devoted merely to peace propaganda; it is a scientific institution which, to quote from the words of the Honorable Elihu Root at the first meeting of the Trustees on December 14, 1910, will seek to obtain a clear perception of the social diseases of humanity, "one of which is war." One of its chief aims is the investigation of the causes of war and its effects on both neutrals and belligerents in order that it may be always in a position to recommend what measures should be adopted to prevent, as far as possible, appeals to force. The Carnegie Endowment, in a word, is a highly civilizing institution entitled to universal respect.

Mr. Bacon, you may take with you to the founder and to the Trustees of the Endowment the assurance that here in Peru we shall earnestly second the humanitarian aims of your institution. This duty is imposed upon us, not only because of the high purposes of human harmony and brotherhood which it pursues, but by reason of the great strides which will be made in our relations with the United States of America, Europe and Asia, so soon as the Isthmus of Panama is opened to the traffic of the world in 1915.

Gentlemen, we should not be unmindful of the influence that has been exercised by two notable American events in the social, economic and political life of the other nations of the world. In the first place, the discovery of the New World changed the trade-routes and the political power of Europe, Africa, and Asia; they were shifted from the East to the West. Secondly, the independence of America made a deep impression on the destinies of humanity. Independent America introduced religious freedom, which the Old World has since followed. Free America, furthermore, created democratic institutions which are to-day being copied by the monarchies of Europe. With its political freedom won, America then began assimilating immigration and formed the sub-races of the Yankee in the North and the Creole in the South, granting them the fullest measure of civil and political rights, to a degree not yet obtained by certain human races. America affords the opportunity for the enterprising, without regard to station or caste, to amass huge fortunes which have broadened the vision of their owners to undertake tasks similar to that begun by Mr. Andrew Carnegie, the Scottish philanthropist and millionaire, who came to the United States in 1848. Lastly, this continent has been the place where the principle of arbitration, as the means of preventing war, has always been proclaimed and enforced.

The opening of the Panama Canal, which will constitute the third great American event, will undoubtedly exercise even greater influence in the development of the commercial and political relations of Europe and Asia.

In the relations between the two portions of this continent, the Canal will be a powerful instrument for education, for the sentiment of Pan-Americanism, and for the political conscience of Latin America. In North America education is free; it has reached a marvelous degree of development and has raised the moral and intellectual level of the working and producing classes. There education is the greatest factor in earning a livelihood. In South America, our line of thought is in some respects still European, which works to the detriment of the people's welfare.

Again the Pan-American spirit has not been developed in all the States of this continent, notwithstanding the fact that the Monroe Doctrine and the leadership of the United States have opened the way to the development of these nationalities.

Lastly, our aspirations and our thoughts are not wholly American, nor have we any idea of the rôle we should play in the world balance of power.

The Carnegie Endowment with its complete educational, economic and political program, looking forward to the events of the future, presents a full picture of Pan-Americanism in its general outline. For the future guidance of these nations and for the political balance of power between Europe and America it has two qualities to commend it: The assurance of the national sovereignty of each of the States of this continent and the progress of commerce and intellectual intercourse which, as every American earnestly hopes, will put an end to warfare.

### Response of Mr. Bacon

*[Translation from the Spanish]*

*Gentlemen:*

The many marks of attention which I have received at the hands of the cultured society of Lima, together with those offered me by the Government and the honorable associations of your intellectual world, fill me with sincere and lasting gratitude.

I feel honored that the sympathy which my mission and my university have awakened in you should have led your famous Bar Association to confer on me the very precious title of honorary member. I assure you that I prize this distinction in all its worth. I feel very highly honored, members of the Peruvian Bar, to be able to call myself your fellow-member.

The day before yesterday I set forth briefly the main purposes of my visit here. In compliance with the gracious invitation given me, I shall now speak at greater length of one of them, perhaps that which will be the greatest force in promoting the work of Pan-American intellectual union.

I refer to the support to be given to the American Institute of International Law and the formation of National Societies of International Law.

"*Ubi societas, ibi jus*"—Where there is a society of nations there is a law of nations. As the society grows or changes, the law is developed or modified to meet the new or different needs of the society. A nation cannot exist and fulfil its mission separate and apart from the society any more than man can live in isolation. This has been so in all ages of which history has furnished us a record; it is so evident, indeed, that Aristotle felt justified in saying that man was a political animal, for men tend to form a society, however large or small, and organize themselves on a large or small scale for a political purpose.

As with the man, so with the nation. It cannot exist of and for itself; it is a political unit, a body politic, or a moral person. It is either a member of the society of nations which has naturally resulted from the mere existence of nations, the needs of mutual intercourse, or the nation is admitted into membership of the society of nations, as is the case with every country of the American continent, upon its application or its recognition as a member by the international society. By such membership each and every nation acquires the rights which each nation possesses in an equal degree. Each nation is equal in and under the law, and at one and the same time becomes subject to the duties imposed by the law, for rights and duties are correlative terms. The right of one is the right of both; the duty of each is to respect the right of each and of all. But independence does not and should not mean the right and the power to act without reference to the other members of the society; for a failure to respect the rights of others is the violation of a duty; if unchecked, it results in anarchy which is incompatible, not merely with the progress and well-being of the members of the society, but with the continued existence of the members. Such a state of things is impossible among men; it is equally impossible among nations. We are far removed from the condition of things which Hobbes could define as a "*bellum omnium contra omnes*," even although the law of nations is neither so developed nor so adequate as the internal or municipal law of each and every member of the society of nations.

While we can accept the principle of equality without qualification, we must understand independence in the sense that a nation is not and cannot be free to act in violation of the rights of other nations, just as individual men and women renounce absolute and unrestrained freedom of action in order that their rights shall be observed and protected as well as the rights of others. Independence thus shades, necessarily, naturally and imperceptibly into interdependence, without, however, questioning the equality of each nation and its freedom from intervention on the part of others.

What is this law of the society of nations which every nation acknowledges and applies or should apply in its relations with other members of the

society of nations? Without attempting to define this law—for my present purpose is to state its existence and the necessity of its existence—it may be said that the law referred to is international law, which has come into being to meet the needs of nations. Once the possession of the few—the canonists and philosophers, the jurists and the statesmen—it has become the possession of the many. It is no longer to be gathered exclusively from the usages and customs of nations to be found in the archives of foreign relations, but it exists in systematic form, in the works of Wheaton, to cite an authority of the United States, and in the elaborate and authoritative treatise of the South American author, Calvo, and in the works of other leading authorities.

In former times, when a special class of the chosen few governed the nation and directed its foreign relations, it was, perhaps, not necessary that the law of nations should have been studied and its principles mastered by the many. But a change has come over the world in the last hundred years and more. To-day in the case of every empire, kingdom or republic, the ruler is responsible to the people for whose benefit government is and must henceforth be administered. The people of each and every country have become masters of the situation, and we must educate our masters, not merely as to their rights as to which they are tolerably well informed, but as to their duties, as to which we all need enlightenment. The people at large possess the power and the duty to influence foreign relations, and as the people are in the end responsible for the correct and enlightened conduct of foreign affairs, and as they suffer the consequences of the mistakes of government, it follows necessarily and fatally that they must fit themselves for the responsibility which they cannot avoid, by a broad and extended acquaintance with the principles of international law.

It cannot be expected that every voter will become an international lawyer, and it is not necessary that every voter should. It is, however, vital that large classes of the people should take an interest in the law which controls international intercourse and by which the rights and duties of nations are to be tested. It is only through a knowledge of international law that a just public opinion can be formed on questions of foreign policy, and, as public opinion fashions foreign policy, it needs no argument that a knowledge of the principles of international law should be sufficiently disseminated in order to form public opinion, on enlightened lines, in each and every nation belonging to the "Society of Nations."

The expression "Society of Nations" has been used as more accurate and significant than the "Family of Nations," but in a large and generous sense, the idea of a family applies with peculiar force and suggestiveness to the twenty-one republics of the Western world, alike in their origin, having similar forms of government and identical in their hopes and aspirations.

Confining ourselves to what may be called the American problem, how can we develop international law in such a way as to make it meet the growing

needs of the twenty-one American republics; how can we formulate the rules of law which are necessary to decide our problems; how can we conduct our mutual relations in such a way as not to disturb the harmony that should exist among the members of one and the same continent, and how can we bring a knowledge of these matters home to the classes that form public opinion in each and every one of the twenty-one American republics?

The Pan-American conferences may be trusted to continue; the regular and periodic exchange of professors and students may be, and we hope, will be inaugurated, the knowledge of the institutions and of the contributions of each nation to the common good may become general; the visit of representative men may and will tend to create and promote social intercourse, but the relations of nations, considered as such, depend upon an understanding and dissemination of just principles of law and their application to disputes which are bound to arise among members of one and the same family.

How can this law be developed? How can these principles, when found and formulated, be best disseminated? These are questions which must be answered and upon the correct answer depends in large part the future relations of the American nations.

It needs no argument that a law to affect all must be made by all, that is to say, it must be the result of coöperation. The law of nations is not the law of any one nation; it is not made by any one nation. It is not imposed by any one nation, it cannot be changed by any one nation.

The law may be codified where it exists, and created where it does not exist by the action of governments, just as the American States have proposed to do, and have actually begun the work in a meeting of American jurists held at Rio de Janeiro in June of last year. But governments move slowly, and when they move too rapidly and in advance of public opinion their work does not last. Is there not a place for private, that is to say, for scientific coöperation among the publicists of America? A private body of Europe, the Institute of International Law, founded in 1873 on the suggestion of the distinguished North American, Francis Lieber, and of which Institute the distinguished South American, Calvo, was a founder and an ornament, has done more than any single agency to develop international law. Its drafts in various phases of international law, its resolutions, its statement of old as well as of new law have been accepted by specialists and its various projects have been adopted by governments because of their value and practical worth. Slowly and tentatively, scientifically and unerringly it has solved problem after problem and produced model after model of correct codification. Much of its work has been adopted by The Hague conferences, notably the code of arbitral procedure, the code of land warfare, the suggestion of a court of prize, and it is not too much to say that it made possible the work of The Hague. It prepared the way and furnished model drafts which could be accepted with only slight modifications by the conferences. The patient labor

of an unofficial society, composed of publicists representing science, not governments, furnished not merely the form but the substance for the official conference. It is hardly open to question that an official codification of international law must be preceded by the careful, patient, inconspicuous labor and devotion of scientists, if the codification is to state just principles of law which the "Society of Nations" can adopt instead of a compromise of conflicting interests and views of the governments.

Is there not room for an American Institute of International Law, composed of an equal number of publicists from each of the American countries, which can do for our continent what the older Institute has done for the world in the last forty years? Could not this American Institute work in friendly coöperation with National Societies of International Law in every American capital? Could not these National societies bring together all persons interested in international law, create this interest where it does not exist, and form a center in each country for the study and popularization of international law?

The American publicists thought so, and they have established the American Institute of International Law, after conference with and upon approval of leading publicists of the Continent. The members of the older institute thought so, as is evidenced by their warm and unsparing praise of the proposal; and such is the opinion of the distinguished North American statesman, Elihu Root, who has accepted the honorary presidency of the Institute.

In an address at the opening of the Twentieth Peace Congress in The Hague during the month of August, the distinguished Dutch publicist, Professor de Louter, referred to the three hopeful and encouraging events of recent date, all three of which are of American origin. The first was the codification of international law proposed by the Pan-American Conferences and actually begun by the Congress of American jurists which met in Rio de Janeiro in June, 1912; the second was the formation of the American Institute of International Law, proposed and founded by the happy coöperation of South and North American publicists; the third was the creation and proposed activity of the Carnegie Endowment for International Peace.

Let me dwell for a few moments on the question of National Societies, which are to be formed and affiliated with the Institute, whose members are chosen from the members of the National Societies. The older Institute contemplated National Societies but none was formed until after the founding of the American Institute.

In February of the present year the French Society of International Law was founded.

If a National Society is needed in France and can perform useful work, it is fair to presume that such a National Society may be formed in each of the American Republics and that it can justify its existence by useful and construc-

tive work in the country of its origin. The French Society issues a modest bulletin. This could be done by each American Society and the interchange of the different bulletins would keep all of the National Societies informed of the work done by the others. A large and comprehensive Review of International Law would not need to be founded or supported by the American Institute, as the *American Journal of International Law*, now issued in a Spanish translation by the American Society, could be modified so as to fit it to be and to make it the organ of the Institute without additional expense and without any cost to the Institute. It could be distributed to the members of the Institute and to the members of the National Societies so that the International Society would thus have an international journal and each National Society a national bulletin. All workers in the field of international relations would be brought into close and intimate relations, and instead of isolated activity, all would press forward together towards a common goal, and international law would be developed, expounded and popularized by the nations of a continent.

Let me indicate, in closing, how the American Institute can help the Carnegie Endowment in its great and peaceful mission. The older Institute was requested to act as advisor to the Endowment's Division of International Law. It accepted the invitation and appointed a committee composed of the most experienced and illustrious of European publicists, so that the Division has the advantage of the best advice that Europe can furnish as to what it should undertake and as to the method of execution.

As the Institute has performed, and performs, incalculable services, the Endowment makes a generous subvention to the Institute which is employed in part in meeting the travelling expenses of the members of the Institute, which does not meet in any fixed place but holds its meetings from year to year in the different countries of Europe, and also in part in paying the expenses of its commissions, and in the preparation and publication of its valuable reports.

If the American Institute is firmly established, with the national and affiliated societies, cannot the American Institute be asked to act as advisor to the Endowment's Division of International Law on all problems of an American nature and all undertakings affecting America, and may not the Institute justify such financial support as may be needed to be expended in the same way as the subvention to the European Institute?

I am specially instructed by Mr. Root, Honorary President of the American Institute of International Law, and President of the North American Society of International Law, to urge you to help the American Institute to perform the mission for America and for the world that the European Institute performs for Europe and the world, and to urge you to form a National Society of International Law, affiliated with the American Institute.

If you join us in this work of intellectual union, if the Latin American countries and the United States unite in a constant effort for the improvement of the relations between nations, if all the countries of this hemisphere work



in unison toward a common ideal, there will then be created a powerful force for good, which cannot fail to benefit our continent, the world and humanity.

In conclusion, I wish to express the most loyal sentiment of high regard which I have for this illustrious Association, a worthy representative of the Peruvian Bar, and to voice my hope that justice and right may ever prevail in this land as the safeguard to the rights of its citizens.

### Remarks of Sr. José Balta,

AT A RECEPTION OF THE GEOGRAPHICAL SOCIETY,  
LIMA, NOVEMBER 8, 1913

[*Translation from the Spanish*]

*Mr. Bacon:*

It is a source of great satisfaction to me to present to you this diploma accrediting you as honorary member of our Geographical Society.

The motto of the institution you represent applies to every association of men of science, who, without forsaking their countries, work on behalf of humanity; it is, moreover, particularly fitting to geographical societies that consider the Earth merely as an organism in constant evolution through the ages, and the human race as a group of like beings which neither the color of the skin, nor the configuration of features suffices to divide into radically different, and, much less, hostile, groups.

In the conception of the fatherland by the world of science it is possible to have all boundary lines and all race prejudices blotted out and so bring about sincere friendship between nations.

Welcome to our modest institution which I wish might bear the motto of the Smithsonian Institute, that other grand North American creation: "The increase and diffusion of knowledge among men," side by side with the words that embody the programme of the Carnegie Endowment: "*Pro patria per orbis concordiam.*"

### Response of Mr. Bacon

[*Translation from the Spanish*]

Permit me, gentlemen, to express my sincere thanks for your cordial words regarding my mission and myself, and for the special distinction you have done me in conferring upon me an honorary membership in your Society. I am deeply touched, by this evidence of friendship, which, I assure you, I highly appreciate.

The objects of your Society are peculiarly attractive to me. The investigation of problems and geographical mysteries is not only a fascinating and invaluable study in itself, but the diffusion of geographical knowledge has knit nations together in closer bonds and has contributed to the spread of civilization, and, hence, of international friendship and international sentiment.

It is fitting, it is necessary that nations should grow together, should work to help to spread civilization. No nation, no human being for that matter, can live for and to itself, and the co-operation of nations is as essential to the progress of the world as the co-operation of individuals is to the progress of society.

Geographically, America is a unit; industrially, its members live in closer contact every day; and, intellectually, each member should contribute to the knowledge and to the progress of all.

Again I thank you, gentlemen, for your courteous welcome and the honor done me.

### Remarks of Dr. Romero,

AT A BANQUET OF THE FACULTY OF THE UNIVERSITY OF SAN MARCOS,  
LIMA, NOVEMBER 9, 1913

[*Translation from the Spanish*]

*Gentlemen:*

I have no set speech worthy of the distinguished personage we are honoring and of the importance of the mission he bears; and I have not prepared a speech, because, sharing the opinion of my colleagues, I thought that a set speech was out of place when honoring one of our own. And, so, it is, in truth, gentlemen: we are tendering this banquet to Mr. Bacon because he has done us the honor of accepting an honorary membership in our Faculty: we are celebrating an occasion of great significance to us.

It is an ancient custom to celebrate momentous events and occasions of special importance with banquets. It was intended thereby to furnish moments for closer intimacy, to realize materially what already existed through the communion symbolized by the fraternity of souls having the same ideals and aspiring to identical ends in everything which is great or good.

With this banquet we celebrate the high honor done us by Mr. Bacon; we seek to express our happiness at his becoming a member of our Faculty; and seated at the same table, free from an exacting ceremonial whose bounds we could not pass, tell him how great is our regard for him, how happy we are at the thought that the distinguished member of a great University of the United States has seen fit to visit our country and to set forth in lucid speech the purposes of his high mission. If it was out of place, therefore, to deliver a set speech because one of our own members had sat down at his own table; if his arrival is the occasion for spontaneous welcome to be shown by manifestations of sincere affection, then it is proper that we should give this outward proof of our joy, and so I confine myself to begging you, gentlemen, to join me in drinking to the health of Mr. Bacon, and of his charming family, voicing at the same time the hope that he may carry with him the satisfaction of having achieved complete success in the realization of the aims of that great Institution, which, apart from its high deserts, has afforded us the honor and pleasure of having Mr. Bacon with us to-day.

### Response of Mr. Bacon

[*Translation from the Spanish*]

*Mr. Rector; Gentlemen:*

Once again I am pleased to express my sincere thanks and my warm appreciation for the honors and distinction conferred upon me by you, Mr. Rector, and by the esteemed members of the Faculty of this University.

I assure you, gentlemen, I am deeply touched by your charming courtesy and kind hospitality, no less than by your spontaneous offers of help in the work of intellectual union. The recollection of your kindness will make the impression produced by your wonderful country, your historic capital and your charming people more delightful and more lasting.

It has sometimes been thought that those who speak of international friendship, of the sentiment that controls everything else in this world, are mere idle dreamers. But it is no dream to say that the world is evolving through the ages from the material to the spiritual, to the moral, to the intellectual life. We can not appreciate this in a single day, just as we cannot perceive the movement of the tide. We see the waves, but the tide ebbs and flows imperceptibly. Progress, the continual irresistible progress of civilization, never halts.

The facilities of communication are not only making trade and industry easier but they are drawing the different nationalities into closer social and intellectual union. Travel, personal intercourse and the knowledge of different countries and institutions, tend to remove the causes of suspicion which unfortunately exist among nations and peoples that are not brought into intimate touch with one another. International conferences contribute greatly to create a better understanding among peoples, and the influence of the Pan-American and Latin American Conferences has been marked. It is a matter of great satisfaction to see congresses, such as the Medical Congress which has just been held in this city, attended by distinguished physicians from the whole of America. The valuable results to be obtained from these conferences are not confined solely to the world of science; they also serve the purpose of drawing the bonds of friendship between different countries closer. The medical profession of Latin America deserves the warmest praise and congratulation; its members, meeting in international congresses, have contributed to the welfare of the world and to the development of sentiments of friendship and brotherhood among nations. Through you, Mr. Rector, I desire to express my cordial greetings and good wishes to the Dean of the Faculty of Medicine and to the members of the Medical Congress.

Once more I thank you for your hospitality. Although my stay in this beautiful land of Peru has been a brief one, I shall not, however, forget the pleasing impression I experienced the first moment I set foot on your soil. The wonderful history of Peru had seized my interest. The cordiality and affable disposition of the people have held my affection; and after contemplating the

great progress to be seen everywhere, in the intellectual order as well as in the material, there has now been added to my interest and my affection my unbounded admiration. On leaving this charming City of Kings, I take with me personal feelings of goodwill, real friendships for the future, and I wish to say to my friends of Peru not "good-bye" but "till we meet again."

I raise my glass, gentlemen, to the University of San Marcos, its distinguished Rector and to its illustrious Faculty.

**Letter from Dr. Juan Bautista de Lavalle,**

ACCEPTING THE SECRETARYSHIP OF THE CONCILIATION INTERNATIONALE FOR PERU,  
LIMA, NOVEMBER 8, 1913

[*Translation from the Spanish*]

TO THE HONORABLE ROBERT BACON,

*My dear Sir:*

It is a very great pleasure to me to accept the Secretaryship which you have seen fit to offer me of the Society for International Conciliation which has already been formed in Peru, thus realizing one of the objects of your noble mission. This Society will co-operate with the parent institution founded in Washington by the eminent President of the University of Columbia, Dr. Nicholas Murray Butler, with that created in Paris by Baron d'Estournelles de Constant, and with the societies recently established in the other Latin American countries you have been visiting.

No cultured mind can remain indifferent to the appropriate motto, to the elaborate programme and to the high mission of the Society for International Conciliation whose purposes have been so clearly set forth by Baron d'Estournelles de Constant, by the great Elihu Root and by yourself in these words: "True patriotism consists in serving one's country. It is not enough to be ever ready to defend it; it is necessary to save it difficulties and needless dangers, and to develop by means of peace its resources, its wealth and its commerce." "The object of the Society for International Conciliation is to develop national prosperity under the auspices of happy international relations and to organize these good relations upon permanent and lasting bases." "We should do the work at hand, with the hope that every effort will produce some result, even though it be not given to us to see it."

I beg to thank you also for the splendid gift of the medal of the Institution bearing the beautiful design of Eugène Carrière and the suggestive motto "*Pro patria per orbis concordiam.*"

With the assurances, etc.

(Signed) JUAN BAUTISTA DE LAVALLE.

## APPENDIX VII

### *Monographs Printed and Distributed in Latin America*

[*Translation from the Spanish and French*]

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#### The Carnegie Endowment for International Peace

On December 14, 1910, Mr. Andrew Carnegie placed in the hands of twenty-eight Trustees the sum of ten million dollars, the annual income of which (\$500,000) was to be administered "to hasten the abolition of international war," which he declared to be the "foulest blot upon our civilization." "The nation is criminal," he further said in the letter accompanying the bequest, "which refuses to arbitrate and drives its adversary to a tribunal which knows nothing of righteous judgment."

At their first meeting the Trustees organized by electing Elihu Root President, Joseph H. Choate Vice-President, and James Brown Scott Secretary. Subsequently, Honorable Charlemagne Tower was elected Treasurer.

Mr. Carnegie wisely left the Trustees full liberty to create the organization and the agencies to give effect to the fundamental purpose for which the fund was created. Thus, in the letter accompanying the gift he said: "Lines of future action cannot be wisely laid down. Many may have to be tried, and having full confidence in my trustees I leave to them the widest discretion as to the measures and policy they shall from time to time adopt, only premising that the one end they shall keep unceasingly in view until it is attained is the speedy abolition of international war between so-called civilized nations."

The Trustees decided that the institution should be called the "Carnegie Endowment for International Peace," and a special committee was appointed to formulate the aims and purposes of the Endowment. This was a difficult task, for Mr. Carnegie's views were expressed in general terms. After much thought and deliberation, the Trustees adopted the following statement on March 9, 1911:

That the objects of the corporation shall be to advance the cause of peace among nations, to hasten the abolition of international war, and to encourage and promote a peaceful settlement of international differences, and in particular—

(a) To promote a thorough and scientific investigation and study of the causes of war and of the practical methods to prevent and avoid it.

(b) To aid in the development of international law, and a general agreement on the rules thereof, and the acceptance of the same among nations.

(c) To diffuse information, and to educate public opinion regarding the causes, nature, and effects of war, and means for its prevention and avoidance.

(d) To establish a better understanding of international rights and duties and a more perfect sense of international justice among the inhabitants of civilized countries.

(e) To cultivate friendly feelings between the inhabitants of different countries, and to increase the knowledge and understanding of each other by the several nations.

(f) To promote a general acceptance of peaceable methods in the settlement of international disputes.

(g) To maintain, promote, and assist such establishments, organizations, associations, and agencies as shall be deemed necessary or useful in the accomplishment of the purposes of the corporation, or any of them.

Pending incorporation, the business of the trust is conducted by the Trustees as an unincorporated association. The principal office of the Endowment was located in the city of Washington, District of Columbia, and provision was made for offices elsewhere. An executive committee of seven members, including the President and Secretary, was appointed to direct and supervise the business and conduct the affairs of the Endowment, subject to the approval of the Trustees. The Secretary was made the chief administrative officer of the Endowment, and, subject to the authority of the Board and the Executive Committee, he was given immediate charge of the administration of its affairs and of the work undertaken by it or with its funds. The By-Laws require that he shall be a member of the Board of Trustees, and shall hold office during its pleasure.

The officers elected at the first meeting on December 14, 1910, were formally re-elected on March 9, 1911, at which meeting the aims and purposes of the Endowment were formulated, and a series of By-Laws were adopted.

The statement of aims and purposes above quoted shows that the Endowment is largely a scientific institution and that it will carefully investigate the origin and causes of war, as well as its economic effects on neutrals and belligerents, in order to be in a position to recommend measures to remove as far as possible the causes of war. Wise action can be taken only in the fulness of knowledge and only after a thorough study of the problems, a careful weighing of the difficulties to be overcome, the methods to be employed,—which must necessarily change with changed conditions,—and above all, by the exercise of a sound and enlightened judgment as to what is reasonably possible, given the experience of history and a firm grasp of conditions actually existing in the countries which make up the society of nations. That the Endowment would be largely an institution of scientific research, was made evident by President Root's remarks at the first meeting of the Trustees on December 14, 1910:

I think the field of general observation upon the subject of war and peace, general exposition of the wrongfulness of war, and the desirableness of peace, is already pretty well covered. I think this Endowment will be of little use unless it does something further than that. We must do what the scientific men do, we must strive to reach some deeper insight into the

cause of the diseases, of which war is a symptom, than can be obtained by casual and occasional consideration. That deeper insight can be attained only by long and faithful and continuous study and investigation.

The aims and purposes of the Endowment as formulated by the Trustees fall naturally into three groups: one dealing with the creation of a public opinion in favor of the peaceful settlement of international disputes; another with the investigation and study of the causes of war; and the third with the principles of law and justice which, if accepted and applied by nations in their mutual intercourse, will enable them to settle many, if not all, of the controversies which have either provoked war or embittered international relations in the past. The Executive Committee therefore established three divisions: the first, to be called the Division of Intercourse and Education, whose chief purposes are (1) to diffuse information, and to educate public opinion regarding the causes, nature and effects of war, and means for its prevention and avoidance; (2) to cultivate friendly feelings between the inhabitants of different countries, and to increase the knowledge and understanding of each other by the several nations; (3) to maintain, promote, and assist such establishments, organizations, associations, and agencies as shall be deemed necessary or useful in the accomplishment of the purposes of the association, or any of them; the second, to be called the Division of Economics and History, to promote a thorough and scientific investigation and study of the causes of war and of the practical methods to prevent and avoid it; the third, to be called the Division of International Law, in order (1) to aid in the development of international law, and a general agreement on the rules thereof, and the acceptance of the same among nations; (2) to establish a better understanding of international rights and duties and a more perfect sense of international justice among the inhabitants of civilized countries; (3) to promote a general acceptance of peaceable methods in the settlement of international disputes.

Dr. Nicholas Murray Butler, president of Columbia University, was appointed Acting Director of the Division of Intercourse and Education; Dr. John Bates Clark, professor of economics in Columbia University, was appointed Director of the Division of Economics and History; and the Secretary of the Endowment, Dr. James Brown Scott, was appointed Director of the Division of International Law.

Having thus determined the objects of the Endowment and created the organization to carry them into effect, the Executive Committee turned its attention to the methods to be pursued by the Endowment and by each of the Divisions to advance the cause for which the Endowment was created. It was felt that the methods were of the utmost importance, for it is a commonplace that mistaken methods not only jeopardize but discredit an ideal. Success depends in this, as in other important undertakings, upon the proper adjustment of the means to the end. After a painstaking survey of the field of past effort and existing agencies throughout the world in the interest of international peace,

the Executive Committee formulated the following conclusions, which were approved by the Trustees at the annual meeting of December 14, 1911:

(1) That it will not be wise for the Endowment to enter into competition with existing agencies or to seek to supplant them by its own direct action or by the creation of new organizations to cover the same field, but rather

(a) to give greater strength and activity to the existing organizations and agencies which are found to be capable of doing good work;

(b) to produce better organization by bringing about union in systematic relations of scattered organizations and eliminating duplication of effort and conflict of interest; and,

(c) to cause the creation of new organizations only in those parts of the field which are not now effectively covered.

The successful conduct of work of this kind requires the voluntary co-operation of great numbers of people who are moved by their interest in the cause of peace. Such co-operation cannot be bought with money, and it cannot be controlled by money. It can be greatly aided and made more effective by the judicious use of money. It would be impossible to duplicate the personnel now engaged in peace work in many directions. The continued activity of the workers depends upon the continuance of their interest, and that is largely enlisted in the organizations which they have built up, often with much labor and sacrifice. It would be an enormous waste of power to attempt to substitute new and different organizations.

(2) That a considerable part of the work of the Endowment must be prosecuted in countries other than the United States. There are many countries in which the problem presented by the proposal to substitute peace for war as the normal condition of mankind is much more complicated and difficult than it is with us at home, and there are many countries in which the ideas that we have come to regard as fundamental and indisputable have made but little progress. All true advance towards a stable condition of peace in the world must be a general advance. The chief barrier to warlike aggression is the general adverse opinion of mankind and the reluctance of nations to incur the condemnation of the civilized world by conduct which, in that opinion, is discreditable.

To render our work most effective it must accordingly be carried on in many different countries.

(3) That in carrying on our work in other countries, and especially in those countries of Europe with which questions of peace and war are much more pressing and difficult than with us, it is of vital importance that we should not present ourselves as American missionaries undertaking to teach the people of other countries how they should conduct their affairs, but that we should rather aid the citizens of those other countries who are interested in the work which tends to promote peace to carry on that work among their own countrymen, and that to all such work the first conclusion above stated applies with special force.

(4) That one direction in which work for general peace especially needs strengthening is along the line where the sentiment for peace comes into immediate contact with the difficulties and exigencies of practical inter-



national affairs. The reconciliation of the two requires knowledge of the practical side, not so much of specific international difficulties as of the underlying forces which move nations, the development of their methods and motives of action and the historical development of their relations. To make progress in this it is necessary to enlist the services of men competent to carry on thorough, scientific inquiry and to produce definite, certain, and authoritative conclusions which may be made the competent basis of education and argument, appealing to practical men conducting affairs.

It may be profitable to sketch the progress made by each of the Divisions to give effect to the fundamental purposes for which the Endowment was created.

#### I. DIVISION OF INTERCOURSE AND EDUCATION

Dr. Butler established his headquarters at New York, so that he could be in close touch with the work of his Division and personally direct its activities.

As a large part of the work of the Division would necessarily affect foreign countries and as it was essential to its success that the work in foreign countries should be done by local agencies, not by branches of the Endowment, Dr. Butler created an advisory council of representative European statesmen and publicists and a body of correspondents, so that he might be accurately informed of local conditions, and to insure that no project be undertaken in any European country of a kind calculated to run counter to national institutions, traditions and ideals. An executive committee was formed of leading members of this council, and a Bureau established at Paris to carry into effect the projects proposed by the council and its executive committee and approved by the Endowment. Dr. Butler has been fortunate enough to secure the services of Baron d'Estournelles de Constant as president of the advisory council and of the executive committee, and of Mr. Prudhommeaux, the accomplished editor of *La Paix par le Droit*, as secretary general of the European Bureau at Paris.

To diffuse information and to educate public opinion regarding the causes, nature and effects of war, the Endowment, upon Dr. Butler's recommendation, has taken measures to enlarge the contents of a select list of European periodicals devoted to the peace movement, in order that they may reach a larger circle of readers and create a public opinion in behalf of the peace movement.

To cultivate friendly feelings between the inhabitants of different countries and to increase their knowledge and understanding of one another, the Endowment has approved the three following proposals of Dr. Butler: (1) an educational exchange with Latin America; (2) an educational exchange with Japan; (3) international visits of representative men. It is unnecessary to dwell upon the wisdom and timeliness of these projects, for it is common knowledge that many of the misunderstandings existing between nations are the result of ignorance of local conditions, traditions and ideals. Personal intercourse reveals that at bottom all men are strangely alike, and personal intercourse, discussion and exchange of views lay the foundation for friendship and good understanding.

The educational exchange with Latin America has not yet been carried into effect, although progress has been made toward it.

A distinguished Japanese educator, Dr. Nitobe, spent several months in the United States as the representative of Japan, and the distinguished American author, Dr. Hamilton Wright Mabie, is at present in Japan.

In 1912 three distinguished foreigners were welcomed to the United States by the Endowment, namely, Baron d'Estournelles de Constant, Count Apponyi, and Mr. Christian L. Lange, and the Baroness von Suttner has but recently left our shores. The distinguished American educator, Dr. Charles W. Eliot, President Emeritus of Harvard University, last year visited many countries, especially China and Japan, as the representative of the Endowment.

Passing now to the agencies "deemed necessary or useful in the accomplishment of the purposes" of the Endowment, the following societies have, upon recommendation of Dr. Butler, received financial assistance to enable them to carry on the work they have undertaken and to enlarge their sphere of influence: (1) *L'Office Central des Associations Internationales*, organized by the distinguished Belgian publicist, Senator La Fontaine, and located at Brussels; (2) the *Bureau International Permanent de la Paix*, at Berne, as the recognized headquarters of the various peace societies; (3) the American Peace Society, reorganized in such a way as to be the efficient representative of the peace societies in America.

It was felt that the *Office Central* is so international in its nature and scope that it should receive direct assistance from the Endowment; that the *Bureau International Permanent de la Paix* as the organ of the peace societies should be strengthened in order to perform its work more efficiently, and that, with the same general end, the American Peace Society, reorganized and strengthened, should not only act as the medium of communication between the Endowment and the various societies in the United States, but serve as the agent of the Endowment in assisting the local societies.

The Executive Committee, as the result of the experience and recommendations of the Acting Director of this Division, has laid down the general principle that assistance shall be granted the national agencies in the Eastern Hemisphere only upon the recommendation of the Advisory Council, concurred in by the representatives of each particular country in the Advisory Council. It is believed that this principle is admirably calculated to aid the citizens of foreign countries in carrying on the work in their countries, and that it tends to bring peace workers into contact and coöperation with each other and with the practical men of affairs who mould or control international policies.

Experience has shown that many people genuinely interested in bringing about good understanding with foreign countries, nevertheless hesitate for a variety of reasons to ally themselves with peace societies. Associations for International Conciliation appeal to these classes. Therefore Dr. Butler's policy has been to strengthen these associations where they exist and to create them

where they do not. The parent association was formed by Baron d'Estournelles de Constant in 1906. An American branch, of which Dr. Butler is president, was organized in the same year; German and English associations were organized in 1912, and arrangements are in progress to create branches in South America, Canada, and other quarters of the globe. These associations, while local in origin, have nevertheless an international mission and tend to create, by their meetings and the excellent pamphlets they regularly issue, a friendly feeling toward the peoples of foreign countries.

It is expected that the Division of Intercourse and Education will popularize the scientific results of the other Divisions, and will from time to time circulate books, articles and addresses, either in the original or in translated form.

## 2. DIVISION OF ECONOMICS AND HISTORY

It was felt by the Trustees that nothing would be more productive of results than the careful, thoughtful and scientific investigation and study of the economic causes and effects of war; because, if we know the elements which have entered into and produced war, we are then in a position to consider the means and methods calculated to remove the causes and thus prevent recourse to arms. It was believed that an impartial and scientific study of the effects of war in all its phases, not merely upon the actual belligerents, but upon neutral nations, would supply information hitherto lacking, and tend to incline responsible men of affairs to the peaceful settlement of international disputes. A conference of distinguished economists and publicists was therefore called to meet at Berne, Switzerland, in August, 1911, to consider what subjects could properly and profitably be studied, and to draft the program of the Division of Economics and History. In extending the invitation to this conference, the President of the Endowment stated that "the wish of the Trustees is to utilize the second division for the purpose of a thorough, systematic, and scientific inquiry into the economic and historic aspects of war, confident that the lessons to be derived from such study will be useful to mankind. They feel that such an inquiry should be prosecuted upon the broadest international basis, and that the organization thereof is a proper subject for the wisdom of the most able and eminent economists of all the civilized nations."

The conference was attended by eighteen leading specialists, including the Director of the Division, and formulated a program dealing with (1) the economic and historical causes and effects of wars; (2) armaments in time of peace, military and naval establishments, the theory, practice and history of modern armaments; (3) the unifying influences of international life. As it seemed advisable to associate the members of the conference with the apportionment of the work outlined and with its actual execution, those attending the conference were appointed members of a permanent committee of research, to act as the agents of the Endowment in selecting competent experts to undertake

and carry to completion the investigation of the various topics into which the program is divided, to supervise the investigations undertaken and to edit the results. A large number of topics have already been assigned to specialists, some of the studies have been completed, and in the course of a few years the Endowment will have published a series of remarkable monographs dealing with all phases of the elaborate program, which will, in the language of its President, "be useful to mankind." The headquarters of the Division are temporarily at New York, and the Committee of Research, in addition to being the agents of the Endowment for the purposes specified, act collectively and individually as advisers to the Director of the Division in prosecuting the important projects it has undertaken.

Professor Kinley, who is a member of the Committee on Research of the Division of Economics and History of the Carnegie Endowment, and who takes a specially keen and personal interest in Latin America—due not only to his knowledge of its wonderful progress despite adverse and perplexing conditions, but due also to his personal observation, for he was Delegate of the United States to the Fourth Pan-American Conference—will visit South America in the very near future. His purpose will be to make the acquaintance of the leaders of thought in the domain of economics and of history; to explain to them the origin and purpose of the Division; to unfold the projects which the Division hopes to undertake, and, if possible, to secure the co-operation of our friends in South America in their execution, without which coöperation the work of the Division would be faulty and incomplete and fail generally in its beneficent purpose. I bespeak for him a warm reception and I would ask you to pledge in advance of his coming, your generous and invaluable coöperation.

With respect to this Division, my modest mission is to prepare the way for Professor Kinley. In view of these circumstances, it would be best that I explain to you in general, the aims and purposes of the Division of Economics and History, in order that you may yourselves determine in what manner and to what extent you may coöperate with and aid Professor Kinley, leaving to him the privilege of stating in detail the projects which the Division contemplates, and the large and generous part which we hope that Latin American publicists, economists and historians will be willing to take. I cannot better indicate the nature of the work which the Division is undertaking than by quoting from the remarks made by Mr. Root at the first meeting of the Trustees of the Endowment. "I think," he said—"the field of general observation upon the subject of war and peace, a general exposition of the wrongfulness of war and the desirableness of peace, is already pretty well covered. I think this Endowment will be of little use unless it does something further than that: we must do what the scientific men do,—we must try to reach some deeper insight into the cause of the diseases of which war is a symptom than can be obtained by casual and occasional consideration. That deeper insight can be attained only by long, and painful and continuous study and investigation."

These words of ripe wisdom, based upon experience, thought and reflection, apply with peculiar force to the task set to the Division of Economics and History, for to it is assigned the specific duty "to promote thorough and scientific investigation and study of the causes of war and of the practical methods to prevent and avoid it". That is to say, the study not merely of the alleged causes which have been but the pretext to ambitious and unscrupulous rulers and statesmen, but the study of the real cause, often hidden from view, to be found in the antagonisms of peoples, and in the desire for economic advantages which they do not possess and which they covet. But this study, however interesting, would be of but moderate value, even though through it the real motives were laid bare. The economic causes, and the economic effects, not merely upon the nations at war but upon neutral nations and peoples, the effects, indirect as well as direct, must be studied and made known, otherwise we cannot strike the balance between war and its cost, estimated not merely in loss of life, and in the waste of resources, but in the loss of opportunities, and the advantages of peaceful, normal and unobstructed development.

Thus expressed, the problem is not of any one country or of any one time, and Mr. Root was certainly well advised when he stated, "that the lessons to be derived from such study will be useful," and that the inquiry itself "should be prosecuted upon the broadest international basis, and that the organizing thereof is a proper subject for the wisdom of the most able and eminent economists of all the civilized nations."

Professor John Bates Clark, a distinguished economist of the United States, is in charge of the Division of Economics and History. While Professor Clark was in Europe, the Endowment took advantage of his presence there to invite a number of economists, publicists, and historians, mostly European, to meet at Berne in order to recommend an organization for the Division, and to prepare an outline of the work which it could most profitably undertake.

In the next place, the members of the Berne Conference have been organized into a permanent committee called the "Committee of Research", which committee will act, not merely as the responsible adviser of the Division, but as its agents in the execution of the programme of the work to be undertaken in all parts of the world, other than Latin America. Professor David Kinley, an ardent friend and admirer of Latin America, has been added to the committee in order that he might, through personal conference and intercourse with the leading publicists, economists and historians of Latin America, determine what form of organization would best meet the desires and assure us of the co-operation of our Latin American friends without whose sympathy and effective participation the work of the Division—so far as it relates to Latin America—could not be outlined, much less carried into execution. I may say that the organization of a committee of research for Latin America, such as has resulted from the Berne Conference, would be very acceptable to the Endowment, and to the Division.

Let me now state very briefly the program outlined by the Berne Conference, which the Division, with the constant aid and advice of the Committee of Research, is endeavoring to carry out by means of investigations of causes and conditions in the different countries, conducted by distinguished scholars and investigators of their respective countries.

At the Conference held in Berne in August, 1911, the members were divided into three principal divisions, the first dealing with the economic and the historical causes and effects of wars; the second with the question of armaments in time of peace, military and naval establishments and the theory, practice and history of modern armaments; the third with unifying influences in international life. It would require more time than I have at my disposal merely to enumerate different investigations recommended by the reports of the Divisions, which, taken together, form at present the programme of the Division's activity. Lest I deal too much in generalities, I shall mention some of the principal headings of each report. In considering the economic and historical causes and effects of war, the commission recommended the following researches:—

1. Historical presentation of the causes of war in modern times, especially the influence exercised by the striving for greater political power, by the growth of the national idea, by the political aspirations of races, and by economic interests.
2. The conflict of economic interests in the present age.
3. The anti-militarism movement considered in its religious and political manifestations.
4. The position of organized labor and the Socialists in the various states on the question of war and armaments.
5. The economic effects of the right of capture, and its influence in the development of naval power.
6. War loans provided by neutral countries,—their extent and influence on recent warfare.
7. The effects of war considered in its economic aspect.
8. The loss of human life in war, and the result of war, with its influence on population.
9. The influence of annexation upon the economic life of the annexing state and upon the state whose territory has been annexed.
10. The progressive exemption of commerce and industrial activities from losses and interference from war.

Among the topics dealing with armaments, the following questions may be mentioned:—

1. Cause of armaments.
2. Rivalry and competition in armaments.

3. Modern history of armaments, with special details from 1872.
4. Military budgets from 1872.
5. Burden of armaments in recent times.
6. Effects of preparation for war upon the economic and social life of a nation.
7. Economic effects of withdrawing young men from industrial pursuits.
8. Loans for armaments.
9. The industries of war, and a study of the munitions of war.

I fear that I cannot try even to mention the topics to be investigated, dealing with the unifying influences in international life, as these are so many, so varied, and yet so closely related that I could not hope to satisfy your curiosity without overtaxing your patience. Suffice it to say under this heading, that the effects of international production, distribution and exchange, means of communication and their result on the life, thought and development of the peoples and of the nations, will be studied.

Many of these topics are being investigated, not a few of the studies are ready for publication, and, in the course of the next few months, the selected and well-informed public to which only this kind of work can hope to appeal will be in a position to judge the Division, not merely by its good intentions, but by its skillful and, as we believe, valuable, although partial realization.

We do not disguise from ourselves that the present effect of these studies and investigations will be slight in proportion to the effort and time lavished upon them; the problem is a large one and the path we must tread must be blazed, as it were, through a hitherto trackless wilderness; but, in the language of Professor Clark, Director of the Division,—“It may be appropriate to say that we are dealing now not with a small issue for a part of the world, but with a vast issue for the whole world, and whatever affects the outcome of all is of enormous importance. It is a greater thing to move the entire earth a microscopic fraction of an inch than to carry a shipload of soil across the wildest sea. It will be strange if, as the outcome of what is now initiated, there should not result some perceptible deflection of the movements of human force. Whatever change there is will be in the direction of peace”.

What is to be the role of Latin America in these investigations? I cannot believe that the Latin-American publicists, economists and historians will show themselves less zealous, less sympathetic, less helpful than their colleagues of the other world across the water. I would venture to predict that they will throw themselves with abandon into the breach, if I may use a military expression in discussing the ways of peace, or that, to vary the phrase, as co-workers in the field of peaceful endeavor, they will participate in its victories; for, as a noble English poet has aptly and truly said: “Peace hath her victories no less renowned than War”.

### 3. DIVISION OF INTERNATIONAL LAW

The problems which confront this Division are exceedingly important, because to it is referred the specific duty to aid in the development of international law, to establish a better understanding of international rights and duties, and to promote the general acceptance of peaceful methods in the settlement of international disputes. It appears to the Director and to the Executive Committee that too great care could not be exercised in determining the projects to be undertaken and the methods to be employed. If the relations of nations are to be conducted in accordance with principles of law, and if controversies which may exist or arise among them are to be decided in accordance with those principles, it is essential that international law as a system be developed slowly and cautiously by the coöperation of publicists in all parts of the world, in order that proposals may represent enlightened international opinion, be reasonable in themselves, and appeal to the mature judgment not only of theorists, but of the practical men of affairs into whose hands are committed the conduct of the international affairs. Therefore, before proceeding to the organization of the Division, the Director, with the approval of the Executive Committee, entered into correspondence with professors of international law in all parts of the world, with members of the Institute of International Law, with members of the Permanent Court of Arbitration of The Hague, and with selected jurists who, although not falling within any of these categories, nevertheless possessed peculiar qualifications by study or experience to pass upon delicate and difficult questions of international law.

After careful consideration of the replies received, the Endowment determined, upon the recommendation of the Director, to ask the Institute of International Law to act as general adviser to the Division, either as a body or by committee. As the result of negotiations, the Institute of International Law at its Christiania session in 1912 accepted the title and functions of general adviser to the Division, and elected eleven of its members, including its secretary general *ex officio*, as a consultative committee of the Institute for the Division of International Law. It is expected that this committee will render the greatest service to the Director by passing upon the various projects which he may lay before them and by suggesting projects which should be undertaken and carried out by the Division. It is impossible to overestimate the value of this relationship, because the members of the committee, possessing as they must, the confidence of the Institute, will neither approve nor suggest projects unless they are reasonable in themselves, calculated to further the development of international law, and of a nature to be accepted by the nations. Such a relationship is a guarantee that the Endowment through its Division of International Law will not undertake projects which may be considered Utopian. The approval of the consultative committee will of necessity be accepted as evidence that the projects are worthy of consideration by publicists and statesmen and possible



of execution. It is hoped that the relationship may prove no less agreeable and valuable to the Institute, for it will permit the execution of projects which the Institute may consider highly desirable, but which for lack of material resources might not be undertaken. The decision of the Institute to act as adviser completed the organization of the Division, just as the establishment of the Committee of Research organized the Division of Economics and History.

The Institute of International Law, founded in the year 1873, has shown itself to be the most potent unofficial agency ever created for the development of international law; and the Endowment decided that it could not make a wiser expenditure of a portion of its income than by granting the Institute a subvention, in the belief that a part of the sum could be profitably used, if it were the desire of the Institute, in meeting the traveling expenses of its members, in enabling its reporters to receive some compensation for services hitherto unremunerated, in printing the reports themselves in a manner which will make them more widely useful to teachers, students, the profession, and the reading public, and in permitting the execution, under the supervision of the Institute, of projects which it might desire to undertake. The subvention, however, is without conditions, as the Institute is best qualified to determine the most profitable use to which the subvention could be put.

The American Institute of International Law, founded in October, 1912, will, it is hoped, render useful service in the development and popularization of international law in the Western Hemisphere, even though less conspicuous than that which the Institute of International Law has rendered to the world at large. As the policy of the Endowment is not to create agencies of its own but to assist existing instrumentalities, no financial aid of any kind has been asked or received by Mr. Alvarez and the Director of the Division, through whose initiative the American Institute was founded. It is mentioned in this connection because it is an agency calculated "to aid in the development of international law," and for the further reason that the president of the Endowment has accepted the honorary presidency of the American Institute, and the Director was one of its founders.

There are many ways to establish a better understanding of international rights and duties and a more perfect sense of international justice among the inhabitants of civilized countries. A beginning has been made, modestly and cautiously; and only such projects can be undertaken in the first instance as unmistakably fall within this requirement of the Division and are calculated directly to accomplish the immediate purpose. The Institute of International Law seeks to develop the law of nations by discussing important questions and giving them the form of treaty or statute. That this is an eminently practical method is shown by the fact that the opinions and resolutions of the Institute have appealed to men of affairs and many of them are already firmly imbedded in the actual law of nations. It did seem possible, however, to consider the

rights and duties of nations from a more systematic, theoretical, and at the same time broader point of view.

A proposal was made at the Second Hague Peace Conference to create an academy of international law, and it was commended by the President of the Conference. No action was then taken, but the idea has commended itself to publicists of many nationalities. A committee of Dutch publicists, under the presidency of Mr. Asser, suggested that such an academy be created and installed in the Peace Palace at The Hague. The Permanent Court of Arbitration would apply the law which had been systematically expounded in the academy, and the magnificent building would indeed become a temple of peace. Mr. Asser's proposal contemplates systematic instruction, during the summer months, in international law and cognate subjects by a specially constituted and changing faculty, to be chosen from publicists of different countries. Formal courses of lectures on important and timely subjects would be given by publicists who, in addition to theoretical training, have had large experience in the practice of international law. Seminars, under the direction of the regular professors, would be created for the detailed and exhaustive study of certain phases of international law and international relations. The courses would be open to students of all countries who possess the necessary qualifications, and who would be able to attend and to profit by the instruction given, as it would be during the academic vacation. It is also proposed that the governments should be interested in the academy and invited through diplomatic channels to designate appropriate officials of various branches of the governmental service to attend the academy. The institution would be unique in its summer sessions, unique in its small and changing faculty, and unique in its student body drawn from foreign countries and from official classes. The lectures, published as monographs, would enrich the literature of international law; the law itself would be treated from various points of view and by competent teachers, of whom but one at a time would be selected from any country. The student body would be drawn from various countries and in the course of time would exercise influence in the home countries, so that the academy would be eminently helpful to establish a better understanding of international rights and duties, and to disseminate the principles of justice. The Carnegie Endowment has approved the academy in principle, and stands ready to grant financial assistance when the plans are sufficiently matured. The academy would, if organized, be a separate and independent institution, under the control of a specially appointed committee or curatorium composed in the first instance of past presidents of the Institute of International Law. Thus organized and operated, it would advance the work which the Carnegie Endowment is created to further, but it would not be a direct agency of the Endowment or under its control.

The existing journals of international law tend to establish a better understanding of international rights and duties, and an increase in their circulation

will increase their influence, popularize international law, and show by concrete example how its principles determine questions of international rights. For this reason the Endowment, upon the recommendation of the Director, has granted subventions, either of money or subscriptions, as the journals preferred. This assistance will enable the journals to appear more regularly, guarantee their continued existence, enlarge and strengthen their contents, and enable their contributors to receive some compensation for the time and labor they have generously given, without any reward other than that which comes from good deeds.

It often happens that excellent contributions are made to international law in languages little read or understood beyond the country in which they are published, and it is believed that the cause of international justice would be advanced by the translation of such works into languages more widely used. Therefore the Director has proposed, and the consultative committee of the Institute has approved, the translation of works of this character into some one or more better known languages, so that the international lawyer who may not be a linguist and students and scholars in all parts of the world may have the advantage of reading and studying them. At the same time it would be highly useful to have original works prepared dealing with certain phases of international law which deserve special treatment. This is a more delicate matter but it has received consideration. The Endowment does not contemplate going into the publishing business, but feels that it may materially aid authors to produce treatises or monographs of the kind specified, and thus render no inconsiderable service to the cause of international law and international justice.

Periodicals and treatises of international law appeal to the reader, but the hearer should not be overlooked. Therefore the Director has proposed that distinguished foreign publicists be invited to the United States to deliver courses of lectures on certain phases of international law in universities and colleges of the United States. In this way it is believed that the foreign points of view will be made very clear and that, if successfully carried out, teachers of international law will be brought into personal relations, and by the exchange of views a better understanding of international rights and duties created.

A fundamental purpose of the Division is to promote the general acceptance of peaceable methods of settling international disputes, and it is believed that the best way to show what can be done in the future is to make clear what has been done in the past. Therefore the Division is now engaged in collecting for publication all known general and special treaties of arbitration. This is a long and difficult task, and it has been thought advisable to begin with the modern period, that is to say, with the Jay Treaty of 1794 between Great Britain and the United States. This part of the work is nearing completion, after which the earlier treaties will be prepared for publication. This collection will enable publicists to see to what extent nations have been willing to bind themselves to arbitration, and the various forms of existing treaties will be placed at their disposal. For like reason, all known instances of arbitration are to be collected and pub-

lished in the form of judicial reports, and the series will be continued indefinitely. The well-known authority on international law and arbitration, Professor John Bassett Moore, of Columbia University, has undertaken this monumental work and is actively engaged upon it.

The existence of the Permanent Court of Arbitration at The Hague, the adoption of a prize court convention, although the court itself is not yet established, and the approval by the Second Hague Peace Conference of a truly permanent court of arbitral justice composed of judges, lead to the conclusion that differences between nations will be more frequently submitted to arbitration, preferably judicial decision, in the future than has been the case in the past. It seems therefore desirable that we know from concrete instances the questions involving international law which have been submitted to and decided by courts of justice. This becomes especially important, if judicial decision is to supplement arbitration in some cases and to supersede it in others; for until the nations have confidence in judicial decision and its possibilities, they will hesitate to have recourse to it. The Director has therefore proposed that the decisions of English and American courts of justice, in so far as they concern international law, be collected and edited, as are the law reports of Great Britain and the United States. The decisions will not only be valuable in themselves,—for the judgments of Stowell, Marshall and Story are classics of international law,—but will show the careful and cautious manner in which international law has been interpreted, applied and developed by courts of justice, and will furnish safe precedents for international courts to follow. The decisions of continental courts should likewise be collected and published; but it has seemed best to make a beginning with English and American decisions. The Director has recommended, and the Endowment has approved, the project for the collection and publication of present and future decisions of national courts turning on points of international law; but this recommendation is in the nature of a proposal, as it is believed that the experience gained in the collection and publication of English and American decisions will render the larger project easier to realize.

As in the case of periodicals, books and treatises dealing with certain phases of international law, it is the intention of the Endowment to encourage the preparation and distribution of various works dealing with the pacific settlement of international disputes. By way of example, the Endowment has subscribed for a considerable number of copies of the *Recueil des Arbitrages Internationaux* of Messrs. de Lapradelle and Politis, and has made arrangements to place them in libraries and institutions of foreign countries, so that they may be brought to the notice and attention of the public that should be interested in publications of this kind.

From this account of the Carnegie Endowment for International Peace it is clear that it is taking its mission seriously; that it regards itself as a scientific

institution of research rather than a peace society in the technical sense of the word; and that by the investigation of the causes and effects of war and the publication and wide distribution of these investigations, and by the material encouragement which it extends to institutions, agencies and workers in the same field, it may safely be counted upon to render conspicuous service in the great cause for which it was created.

## Associations for International Conciliation

A distinguished French publicist said some time ago in the course of a conversation that he was opposed to the establishment of new Societies, that we had so many that it was almost impossible to name them, much less to take part in their proceedings, that he belonged to so many that he hardly had time to devote to any of them. This was perhaps the language of exaggeration, and yet there is much truth in it. It would seem a better and wiser course to strengthen existing societies than to create new ones for slightly different or allied purposes. This is pre-eminently the point of view of the Carnegie Endowment which makes a point of aiding existing societies instead of creating new agencies.

There are many Peace Societies which do much good, and it cannot be doubted that the foundation of others in quarters where such Societies do not exist would tend to strengthen the sentiment in favor of peaceful settlement, where it exists, and create it where it does not exist. But I should like to call your attention to societies of a different kind—broader and yet narrower in their scope than the Peace Societies; broader in the sense that they aim to take in all persons believing in peaceful settlement, narrower in that they do not propose ordinarily specific methods of advancing the cause of international peace. They seek to promote good understanding in the belief that good understanding is of itself the high road to international peace; although engaged in the work of propaganda, their methods are conciliatory, not aggressive, and they are not inaptly called by their founder, Societies for International Conciliation.

But why, you may ask, start a new Society when I have already indicated in my opening sentences a certain hesitation on the subject? The reason is that a Society for International Conciliation is a Society of a different kind from the Peace Society properly so-called, and that the formation of National Societies of International Conciliation would not duplicate existing Associations nor enter into competition with them. Again the truth is that there are many people who believe in cultivating a friendly understanding between nations, and who are ardent partisans of the peaceful settlement of international disputes, but who, nevertheless, hesitate to ally themselves with Peace Societies properly so-called; and it is interesting and instructive to know the reasons why highly intelligent persons in favor of peaceful settlement feel unwilling to enroll themselves as members of Peace Societies.

There seems to be an impression in the popular mind, doubtless erroneous, that Peace Societies stand for peace at any price; that they are not patriotic, or that they are inconsistent with a sound and robust patriotism; that their projects for bringing about international peace, although many and varied, are fanciful

and impracticable, and divorced alike from reason and experience, so that their remedies, which taken together make up pacifism, are regarded as Utopian.

Now I would not have you think I share these views or that in quoting this criticism, I concur in it. It is a fact, however, that very many estimable people in my own country and in foreign countries hesitate to connect themselves with Peace Societies, because, by so doing, they feel, at least they express themselves as feeling, that they are committed to the various projects of the Peace Societies, and that, by allying themselves with them, they subject themselves to the criticism to which the pacifists are exposed. The feeling, it seems, is somewhat general that Peace Societies are hortatory, not constructive, and that they make their appeal to human emotion; that their members are generally, though not exclusively, recruited from emotional elements; that such societies strengthen the belief, it may be, of those who are already converted, but that they do not make an appeal to the strong, hard-headed men of affairs, who, after all, do the world's business.

On the other hand, it appears, that very many of those who, for one reason or another, hesitate to ally themselves with Peace Societies, technically so-called, seem to be not only willing, but, in many cases, anxious to join societies of a larger and broader nature, which aim to promote good understanding between nations, international conciliation and peaceful settlement of disputes.

It has been said that, between the spirit of pacifism and the spirit of peaceful settlement, which may be contrasted in French by the two phrases "*l'esprit pacifiste*" and "*l'esprit pacifique*", there is the difference between Utopia and reality, and that the partisans of pacifism, instead of serving the cause of peace, are, in reality, an obstacle to its realization and retard its progress.

Let me relate a few concrete instances which may tend to support the present distinction. A distinguished Japanese publicist well and honorably known by his activity in the Peace movement, says that "Peace" or "Peace Society" is the one word or expression which must not be used in Japan, because the single word, or the phrase of which it is a part, conveys a false notion to many of his countrymen, who, nevertheless, are heartily in favor of peaceful settlement, international good-will and conciliation.

A distinguished English philanthropist, who has given considerable sums of money to the Peace movement, and who believes in the movement, and in the possibility of its realization, has asked if it is really necessary to mention the word "Peace" in connection with the movement, stating that in his experience the word conveyed an unfavorable impression.

Another illustration shows the possibilities of a broader movement in a country in which Peace Societies, at least at present, do not thrive. Within the past year, a Society for International Conciliation has been started in Frankfort, Germany, and has enrolled in its membership many of the most distinguished names in the scientific, literary, industrial and academic world, including professors and teachers of international law. These gentlemen are strongly in favor

of peaceful settlement, recommend conciliatory attitudes on international questions, and labor in their respective spheres to promote good understanding between and among nations. Yet they are unwilling to join Peace Societies.

It is not, however, for us to criticize. It is better for us to recognize the fact—and it is a fact—that many estimable people find it possible to work through Peace Societies, whereas just as estimable people find it impossible or undesirable to work in or through Peace Societies. It seems the part of wisdom to recognize these different classes of people and to start organizations which will serve as a rallying point for believers in international good-will and conciliation, who otherwise might take no part in the movement which is bringing nations closer together and which have for their fundamental principle to clear up misunderstandings and, by friendliness and good-will, to advance the cause of peace.

The first Society of International Conciliation was started by the Baron d'Estournelles de Constant in Paris, and it is not only the parent but the model of the branches which have been organized in other countries. Baron d'Estournelles, it need hardly be said, is strongly in favor of peace, and yet he is a loyal, broadminded, patriotic citizen of France. He recognizes a two-fold form of patriotism: the patriotism which serves the country on the battlefield in case of need, and the patriotism which keeps nations from going to war when war is not forced upon them. "True patriotism", he says, "consists in properly serving one's country. It is not enough to be ever ready to defend it; it is necessary as well to steer it out of complications, to spare it needless burdens, and to promote, through peace, its energies, resources, and trade. Our two-fold program has in view to stimulate home activity under the safeguard of good foreign relations".

In the constitution of the original Society of International Conciliation, the object is thus stated:—"The Association, bearing the name 'Conciliation Internationale', aims to develop national prosperity under the auspices of good international relations, and to organize these good relations upon a permanent and enduring basis". Among the principal agencies, by means of which the Society proposes to realize its object are the following:—Education of public opinion; development of arbitration; correction of misleading news; an international magazine; publications; lectures; congresses; conferences; exhibitions; cultivation of foreign languages; exchange of international visits between scientific, artistic, professional, and workmen's associations and other agencies of a like kind. The Association founded by Baron d'Estournelles de Constant for the stated purposes has been very successful, and numbers among its members many of the most distinguished citizens of France and of foreign countries. A small pamphlet, aiming to promote good understanding, and dealing with timely questions as they arise, is issued at irregular intervals.

An American branch of the International Conciliation has been founded in the United States by Dr. Nicholas Murray Butler, President of Columbia University. The aims and purposes of the branch are practically identical with those of the parent Society of Paris. In the matter of the bulletin or pamphlet which appears



monthly, Dr. Butler has been able to obtain some of the best known and most highly appreciated writers, not only in the United States but in foreign countries, and these pamphlets, distributed gratuitously to leaders of opinion and persons interested in conciliation, are highly appreciated, as instructive as they are useful, and have done very much by their timeliness, the excellence of their style, and their pleasing effect to foster friendly relations and to remove misunderstandings. Dr. Butler has made it his aim to send the publications only to people who are interested in the movement or who, if interested, would contribute to its advancement; he has conferred with his friends and from them obtained lists of people interested, and these in turn have supplied other names, so that to-day he has a mailing list of more than 78,000 names of responsible people in the United States of America and Canada to each one of whom a monthly pamphlet is sent.

Recently—indeed, last year—a German Society was formed at Frankfort under the charge of the distinguished lawyer, Dr. Dippold, whose book on the development of procedure in international conflicts is a masterpiece, and is likely to become a classic. More recently still—indeed, in the present year—an English branch has been started under the presidency of Sir Vezev Strong, formerly Lord Mayor of London. A Canadian society is in the process of formation, and I should be very happy, indeed, if through my personal endeavors, branch societies should be formed in the countries which I have the honor of visiting in South America.

It may probably be asked: What is the relation between the original Society and the branches? And, in reply, I beg to quote the language of Dr. Butler, who is President of the American Branch, of whose Executive Committee I am happy to be a member: "While," he says, "the Paris society is the parent branch, there are no legal relations between it and the various other branches. All work together in friendly co-operation and sympathy, and each provides the others with materials and suggestions for publication and propaganda". And in speaking of what he hopes to be the result of my mission, he says: "We should want the branches in Latin American countries, if organized, to stand in precisely the same relation to the Paris Society that the other branches now do: in other words, we use the same motto, the same imprint, and we look to the Paris Society as the parent founder."

From this very brief and inadequate account it is to be seen that while the societies co-operate and work in harmony, and regard themselves as affiliated with the parent Society in Paris, each branch is in reality a separate and independent society, and conducts its operations in such a way as best to appeal to the public which it seeks to interest and to influence. The most important officer of the Society is the Secretary, who practically conducts the Society under the control of the Executive Committee.

We cannot, however earnestly we may try, greatly advance the cause of international peace at any time, but we cannot hope to accomplish anything by folding our hands and dreaming of a better and happier state of affairs. We must do the

work we find at hand in the hope that every effort counts, although we may not ourselves see the result. International peace will come, for it is the wish of the enlightened in all countries; but it will come slowly, as we have to overcome a habit of mind, a method of procedure deeply embedded in our history. We have the consolation of knowing that what comes slowly endures, and the conservatism which makes it difficult to change will, when we have accomplished our purpose, secure and maintain the results of our labors. One cannot work in vain in a good cause, and nothing can assuredly be nobler than to remove misunderstandings, to establish relations of mutual confidence, and prepare the way for a brighter and happier future.

## The Proposed Court of International Justice

We are so accustomed to look upon international law as a universal system of law, accepted by each and every member of the Society of Nations and applied by all in their foreign relations, that we would be shocked by the statement that, however universal it may be in theory, it is far from universal or uniform in its practical application. If a conflict of a purely legal nature arises between any two nations, we find an appeal made to the law of nations which either does, or is supposed to apply to and to be decisive of the controversy. One nation lays down a principle as admitted law; the other denies the existence of the principle, or questions its applicability to the dispute, or, admitting the principle and its applicability, interprets it as self-interest suggests or dictates. Few principles are so clear as not to admit of different interpretations, and the facts may be and often are presented in such a way as to withdraw them from the category of cases to which an admitted principle ordinarily applies or should be made to apply. Take, for instance, without dwelling upon it or seeking to determine which view is right or wrong, the doctrine of the "favored-nations-clause," the existence of which is universally admitted, but which is interpreted one way by many nations and another way by the United States; or the doctrine of blockade, which is admitted, but which is interpreted and applied in one way by the nations of Europe, and another way by Great Britain and the United States. It is admitted that the favored nation clause exists, just as that a law of blockade exists; but the content of the law or its interpretation differs. The practice of nations varies to-day just as it has varied in the past, and uniformity in theory is in reality diversity in fact. To be convinced of the extent of the variation that exists both as to the content and form of the law, and its interpretations and application, we need only to consult authoritative treatises on international law written by equally skilled and conscientious authors of different nationalities. When the authorities agree, we may look upon the principle as established; when they differ, who shall decide? In the Society of Nations all are equals, and there is no superior. If an International Court of Justice existed, as courts of last resort exist within the nations, the question could be settled by judicial decision; but no such court exists, and special tribunals of The Hague or mixed Commissions only bind the nations which are parties to them, not the nations at large, which are unaffected by the decision. Each nation is thus thrown upon itself, and judges according to self-interest or the passions of the moment; and a failure to accept the contention of one, for both contentions cannot be accepted, may lead to a rupture of friendly relations and plunge the nations

into a war which seems to be justified at the moment, but which is condemned by the bar of history, which is the final judge of nations, be they large or be they small.

The Peace Palace at The Hague, which was opened on August 28 last with imposing ceremonies, is the permanent home of the Court at The Hague, and is a visible and eloquent evidence of the fact that the legal disputes of individuals should be settled by that due process of law which exists in every country that makes a pretence to civilization. And yet, however firmly we may cling to the illusion that a court exists, and however much we may speak of a permanent court at The Hague, we know, or at least should know that no permanent court exists, except in name; that there is only a panel or list of judges from which a special or temporary tribunal can be formed for the trial of a case which comes into being for the case, and goes out of existence with its decision; that the decision only binds the litigating nations which were a party to the controversy and its settlement; that it is not a precedent except as between the nations; that it does not bind a subsequent and special tribunal of the same or of different arbiters; that the decision is often a compromise of a conflict which diplomacy has failed to settle, and that as a compromise or as a decision between two nations, it cannot develop international law in that careful and conscious, impartial and passionless, systematic and scientific method in which national jurisprudence is developed.

To those who have made a careful study of the process by which law and order have been developed within national lines, it is evident that law and order between nations will be developed by the play and interplay of the same forces at work upon a larger scale and in a larger field; for the nations of the world are but the people of the world arranged in more or less artificial groups; and that the experience and practice of each must produce, in the course of time, approximately like results. International peace is thus seen to be conditional upon the growth of law between peoples, its interpretation and its application by apt agencies between nations as between individuals, with such modifications as differences of conditions suggest or require. Let us take a single and simple illustration. As there is no superior in a society of equals it is difficult to see how an international court can be armed with the power of execution, or how nations will allow any nation or any combination of nations to execute a judgment when the use of force in the past has been so productive of evil and can so easily give rise on the part of the nation or the group to claim and exercise a right which may be destructive of the equality and independence of nations, without which international law, as the law of equal and independent nations, is impossible, if indeed, it be conceivable. Fortunately, international decisions have been observed without exception, as the submission to arbitration involves compliance with the decision and the good faith of the nation suggests compliance, even if the self-interest of the moment or *amour-*

*propre* suggested non-compliance. We do not need to trouble ourselves with a difficulty in theory which does not present itself in practice, or question the possibility and efficiency of an international court simply because it lacks a supposed essential of a national court of justice, which history shows is a growth and a matter of convenience, not an essential prerequisite of judicial procedure, or its necessary or inevitable consequence.

It might have been said in 1794 when the Jay treaty was negotiated between Great Britain and the United States, that the settlement of international disputes by means of Mixed Commissions was impracticable, if not impossible; but the successful decision of important and perplexing questions between the two countries, by means of the Mixed Commission organized under Article 7 of that Treaty, showed beyond peradventure the possibility and feasibility of such a method. It might have been said that the mixed commissions or temporary tribunals were only fitted to determine minor or unimportant questions, or that important questions would not be submitted to arbitration unless Great Britain and the United States had submitted to the Geneva Tribunal the so-called Alabama Claims, which at one time aroused the passions of the two countries and threatened to provoke war.

And finally, it might have been maintained with some show of reason that questions could not be arbitrated if the law were doubtful or non-existent, unless the Treaty of Washington, of 1871, had not shown how comparatively easy it was to lay down principles of law, the so-called three rules, for the settlement of claims, if only the nations really wanted to settle their disputes by an appeal to reason. For it is and always has been true, as Secretary Root said, on laying the corner-stone of the Pan American building at Washington—an earlier and not less imposing Temple of Peace—"the matters in dispute between the nations are nothing: the spirit which deals with them is everything."

When, therefore, the First Peace Conference met in 1899 in The Hague—the birthplace of Grotius, the first systematic expounder, if not the founder, of International Law—nations had the experience of a century in the settlement of controversies, often of a perplexing, sometimes of an acute nature, and it is not unnatural that they should commend arbitration of questions "*d'ordre juridique et en premier lieu dans les questions d'interprétation ou d'application des Conventions Internationales comme le moyen le plus efficace et en même temps le plus équitable de régler les litiges qui n'ont pas été résolus par les voies diplomatiques.*"

It was also natural and highly beneficial that the Conference should draft a code of arbitral procedure based on the practice and experience of the century, especially as the Institute of International Law had, as far back as 1874, drafted such a code of procedure which many consider as superior to the code of the Conference based upon it.

But the Conference did more than this: it created machinery consisting of a panel or list of judges from which a temporary tribunal could be formed for

the trial of a case. It did not make a small and select list of persons who would form a court, which the parties in litigation agreed in advance to accept. If it had done this, it would have created a court, not merely the machinery for the creation of a temporary tribunal.

What it actually did will be seen from the following quotations from the "*Convention pour le règlement pacifique des conflits internationaux.*"

"Art. 23.—Chaque Puissance signataire désignera, dans les trois mois qui suivront la ratification par elle du présente Acte, quatre personnes au plus, d'une compétence reconnue dans les questions de droit international, jouissant de la plus haute considération morale et disposées à accepter les fonctions d'arbitres.

"Les personnes ainsi désignées seront inscrites, au titre de Membres de la Cour, sur une liste qui sera notifiée à toutes les Puissances signataires par les soins du Bureau.

"Toute modification à la liste des Arbitres est portée, par les soins du Bureau, à la connaissance des Puissances signataires.

"Deux ou plusieurs Puissances peuvent s'entendre pour la désignation en commun d'un ou de plusieurs Membres.

"La même personne peut être désignée par des Puissances différentes. Les Membres de la Cour sont nommés pour un terme de six ans. Leur mandat peut être renouvelé.

"En cas de décès ou de retraite d'un Membre de la Cour, il est pourvu à son remplacement selon le mode fixé pour sa nomination."

This supplied the nations with a panel or list of possible arbiters. The next quotation shows the method by which the temporary tribunal for the trial of the case was to be formed:

"Art. 24.—Lorsque les Puissances signataires veulent s'adresser à la Cour permanente pour le règlement d'un différend survenu entre elles, le choix des arbitres appelés à former le Tribunal compétent pour statuer sur ce différend, doit être fait dans la liste générale des Membres de la Cour.

"A défaut de constitution du Tribunal arbitral par l'accord immédiat des Parties, il est procédé de la manière suivante:

"Chaque Partie nomme deux Arbitres et ceux-ci choisent ensemble un Surarbitre.

"En cas de partage des voix, le choix de Surarbitre est confié à une Puissance tierce, désignée de commun accord par les Parties.

"Si l'accord ne s'établit pas à ce sujet, chaque Partie désigne une Puissance différente et le choix du Surarbitre est fait de concert par les Puissances ainsi désignées.

"Le Tribunal étant ainsi composé, les parties notifient au Bureau leur décision de s'adresser à la Cour et les noms des Arbitres.

"Le Tribunal Arbitral se réunit à la date fixée par les Parties."

Finally, an administrative council consisting of the diplomatic agents at The Hague was formed to organize an international bureau to act as a *greffe* for the Court and to supervise its operations.

We have here machinery for the creation of a temporary tribunal; we do not have a court in the proper sense of the word, much less a permanent court, although, with pardonable exaggeration, the Conference called the machinery such. In so doing it familiarized the public with the name and the ideal of a permanent court but made it difficult to create a truly permanent institution, for we are so much the slaves of words that we have almost persuaded ourselves, even the wisest among us, that a permanent court exists, so that, when we advocate the establishment of a truly permanent tribunal, with a definite and permanent corps of judges, we are met either with indifference or with the question: Why create another permanent court when one exists already?

At the Second Hague Conference to which, fortunately, Latin America was invited and attended—due to the statesmanship and insistence of Senator Root, for how can a Conference be truly international and legislate *ad referendum* for all the nations when all the nations are not represented?—an attempt was made to constitute alongside of the so-called permanent court, a truly permanent tribunal, composed of judges acting under a sense of judicial responsibility, to use the happy phraseology of Mr. Root who, as Secretary of State, instructed the American Delegation to present and to urge upon the Conference the creation of a permanent international court in the strict sense of the word.

The necessity of such a tribunal appealed to the judgment of many members of the Conference, and Monsieur Bourgeois pointed out in a masterly and convincing manner how the so-called permanent court could properly and advantageously be used for questions of a political nature, composed, as it would be, of arbiters chosen for the special case, in whose wisdom the parties in dispute had peculiar confidence,—whereas a truly permanent court in the judicial sense of the word could be formed for the trial of cases of a legal nature. The purpose was not to supersede the so-called permanent court, but to erect a truly permanent tribunal alongside of it, thus endowing the nations with two agencies of peace, and leaving them free to use one or the other as they might prefer, or as the nature of the case might suggest.

After much discussion and debate, turning largely on the method of selecting the judges, a draft convention was adopted consisting of 35 articles dealing with the organization, the competence and procedure of the Court of Arbitral Justice, as the new institution was to be called. Owing to the inability to hit upon a generally acceptable method of selecting judges, due no doubt to lack of time and the difficulty of the subject, the convention was adopted; but the definite establishment of the court was referred to the nations, which, it was hoped, would be able to reach an agreement upon this necessary detail through diplomatic channels, as appears from the language of the resolution or *voeu*. It is thus evident that

great progress was made towards the creation of a truly permanent court similar in its general nature to national courts of justice.

The project has been approved by publicists of all countries, and at the session of the Institute of International Law held at Christiania in 1912, the proposition was unanimously approved by that body, and the establishment of the court recommended after prolonged and profound discussion. The subject will doubtless appear in the programme of the Third Conference, and it is hoped and believed that the court so long and so earnestly desired will take its place in the Peace Palace as the Court of the Nations.

I do not offer suggestions as to the composition of the court, or as to the method of selecting the judges. I merely call your attention to the fact that the project stands approved by the Conference of the nations, by the most accredited publicists, by the Institute of International Law and by public opinion irrespective of nationality, and I ask you to give attention to the problem of selecting the judges, and to call the attention of Governments to it, for it must be solved, and it cannot be solved without the most careful thought and consideration of the best minds of the world. In the final solution of the problem, Latin America has a right to be heard, and it is the duty of our continent, composed of twenty-one republics, almost a half of the nations invited to and participating in the Conference to express itself clearly and unmistakably not in the interest of any one nation, nor of any one continent, but in the interest of the world. I like the fine and impressive phrase of the enlightened President of Argentine: "L'Amérique Latine"—I would rather phrase it—"L'Amérique toute entière—pour l'humanité."

Even though fearing to prolong this article beyond its proper bounds, I should like to make certain observations to show that, if history is read aright, the creation of a Court of International Justice is inevitable. The partisans of arbitration in place of judicial proceedings in the strict and technical sense of the word, seem to regard arbitration as the culmination of a long and tedious development and to believe that no further advance should be attempted, when in reality arbitration is only a step, an important step, it is true, in the transition from the period when complainants knew only self redress to the period of judicial proceedings. The reader should not be surprised at our failure to note the historical relation between arbitration and judicial proceedings, since the juriconsults of the Roman Empire themselves regarded arbitration not as the source of their judicial institutions but as a modification of those institutions. Nevertheless, modern jurists have shown that among the early inhabitants of the European continent those who were dissatisfied resorted to self redress, from which sprung the custom of submitting controversies to a third party for decision, and this method became general, the parties choosing by common accord the person who should act as judge or arbiter. Students of Roman Law have shown that the same system prevailed in Rome, and that, by means of a long and slow development, the settlement of disputes by arbitration gave rise to judicial pro-



ceedings and culminated in the establishment of a permanent judicature. In this way the parties to a controversy agreed to submit it to arbitration; they also agreed on the designation of a judge who was not a public official but a private individual and whose award was not an act of state but merely the opinion or sentence of a judge or arbiter, enforceable by the parties who had agreed in advance to abide by it. In process of time a panel or list of judges was drawn up, from which panel or list, called the "Album Judicum," the parties should choose the judge or arbiter for each case as it arose, until finally in the reign of Diocletian, the magistrate was substituted for the private judge or arbiter, whose decision became an act of state and was enforced as such. The analogy between the development of that system of jurisprudence which either governs or influences the larger part of civilized nations and the development which is taking place between nations, is almost too obvious for comment. Nations in dispute have redressed and unfortunately, even at the present day, do redress their real or supposed wrongs by force of arms. A sentiment has been developed which condemns unlimited or unrestricted self redress, so that nations frequently agree by treaty or convention, which is nothing more or less than a contract, to submit controversies, especially if they are of a legal nature, to judges of their own choice. In 1899 the First Hague Conference followed, unconsciously it would seem, the precedent of Roman Law by creating a panel or list of judges—the modern "Album Judicum"—from which the parties in dispute should select the judges or arbiters of the individual case; and at the Second Hague Conference an attempt was made, as I have already said, to take the last and final step in this unconscious development by creating a truly permanent court. It is thus seen that arbitration is not an end in itself, but a means to an end, and that historically and logically it developed a judiciary and judicial procedure.

Did time permit I might show that machinery for temporary tribunals or commissions between nations has proved unsatisfactory either in the long or the short run and that such machinery has been replaced by permanent judicial tribunals. Thus the three Cantons which formed the nucleus of the Swiss Confederation agreed in 1291 to submit their disputes to the arbitration of self appointed arbiters who possessed the confidence of the community. In the next century the Cantons agreed to submit their disputes to arbiters of their choice and adopted from time to time various methods of selecting the judges to form the temporary tribunals. In 1848, the system of arbitration by temporary tribunals was replaced by a permanent Federal Tribunal.

A distinguished Swiss publicist, M. Dubs, points out the advantages of this permanent tribunal over the system which he aptly calls "Tribunaux de hasard."

Among other things he says:

"On institue le juge pour toute une série de cas, sans égard à une cause spéciale; ceux qui le nomment sont tout à fait impartiaux; ils peuvent peser avec soin ses qualités morales et ses capacités techniques; on introduit un ordre

fixe dans la procédure, une tradition dans le jugement au fond, et la clarté dans l'exécution."

Let me also cite the example of the United States. By the Articles of the Constitution of 1778, the States of the Union provided for the settlement of disputes of all kinds that might arise between them, by the appointment of temporary commissions. As a matter of fact, certain disputes were submitted to tribunals thus organized but the procedure was unsatisfactory. The Supreme Court of the United States, created by the Constitution of 1787, was therefore invested with the power to examine and to decide disputes between the States, and this system has been so satisfactory that we are at a loss to understand the objections which are made to the settlement of disputes between nations by judicial tribunals composed of judges acting under a sense of judicial responsibility.

Lest it be said that the formation of a permanent Tribunal is only possible in a confederation such as Switzerland and in a Federal State such as the United States, I hasten to call your attention to the fact that the establishment of an International Court of Justice in no wise depends upon a federation of states. It only requires a public union for a judicial purpose. Of public unions, there are many examples, the most striking of which is perhaps the Postal Union to which all nations and self-governing Colonies are parties, with a bureau in case of need to pass upon disputes which may arise between or among the parties of the Union. It is thus clear that history points to the development of arbitration within national lines into a judicial procedure; that the experience of nations which have had temporary tribunals has led them to discard this machinery for the more satisfactory, more impartial, less expensive and more expeditious method of settling disputes of a legal nature which may arise between their Cantons or States, by a permanent Tribunal whose decision binds every Canton and State. The various public unions for a particular purpose, of which there are some fifty or more, show that a union of this kind is compatible with the independent existence of nations.

If history is with us, the future is assured. We can safely follow the experience of nations, for in this instance we are not taking "a leap in the dark," but we are acting consciously with full knowledge of the difficulties of the old system, the advantages of the new, and with the experience of the past and present as a guide.

## The Proposed Academy of International Law at The Hague

At the Second Hague Peace Conference to which every American State was invited and in which every American State, with two exceptions, participated, a proposal was made by Mr. Sturdsa, then the Prime Minister of Roumania, to establish an Academy of International Law at The Hague which would, as its distinguished proposer said: "in a methodical way, maintain science on a level with the principles enunciated by the Conference, and practice on a level with the progress inaugurated". To effect this noble and beneficent purpose, Mr. Sturdsa proposed that the members of the Academy be chosen from among the most eminent scholars, university professors, and jurists of all countries, men whose ability is recognized in the various branches of international law, private international law, the law of war, comparative commercial law, commercial systems and economic relations, colonial systems and the history of international law.

The Academy was to be international in the further sense that the instruction offered was to be given, without discrimination, in German, English, French and Italian, for three or four months of each year, preferably during May, June and July. The student body was to be made up of diplomats, army officers and persons serving in the higher administrative departments of the State, and scholars to be selected by each State, party to the creation of the Academy. The expenses were to be borne by such nations, and the Academy was to be under the control and the supervision of the permanent administrative Council of the Hague, composed, as is well known, of the diplomatic representatives of the different countries accredited to The Hague.

This proposal of Mr. Sturdsa was contained in a letter to the President of the Conference, who read both the letter and the proposed constitution of the Academy appended to the letter. He gave his hearty approval to the project and expressed the hope that the suggestions would inspire some generous benefactor with the desire to follow the example of Mr. Carnegie and to immortalize his name by connecting it with an establishment which will do great service to the cause of peace and ensure justice by contributing to the spread of its principles and to the instruction of worthy laborers in that field.

No action was taken by the Conference on Mr. Sturdsa's project, but the letter and the proposed constitution of the Academy were embodied in the records of the Conference and are published in its official proceedings. The idea, however, has not been lost sight of, and a Dutch Committee, under the presidency of the late Mr. Asser, was formed in order to interest the Carnegie Endowment and if possible to obtain from its funds the money necessary to support the Academy. The Endowment has approved the idea in principle and has expressed itself as willing to furnish the means necessary for its installation in the Palace of Peace,

in which quarters are to be provided for it, as well as for the expenses necessarily required for its successful operation, provided it should appear,—

(1) That there was a general desire among the nations for its establishment, and

(2) That the nations should evidence their interest in its creation by designating one or more of its officials to attend and profit by the course of instruction.

The reason for this hesitation on the part of the Endowment is obvious, for we should strengthen existing institutions rather than create new ones, unless their need or their usefulness be clearly demonstrated.

These views were made known to Mr. Asser, who communicated with the leading publicists of Europe, from whose replies it appeared that there was a general—indeed, one might almost say, a well-nigh unanimous and universal—desire for the creation of the Academy. The Dutch Minister of Foreign Affairs sounded the nations through diplomatic channels as to their willingness to participate in the Academy in the way suggested by the Endowment, viz.: by the designation of students to follow its courses, and, although replies have not been received from all countries, as diplomacy moves somewhat slowly and cautiously, it appears that the projected Academy will not be without support of the kind desired from a goodly number of nations. It should be mentioned in this connection that the matter of the Academy has twice been submitted to the International Law Association and approved by its members and that, at a recent meeting of the Institute of International Law held at Oxford in August of the present year, that distinguished body expressed itself unequivocally and overwhelmingly,—indeed, with practical unanimity—in favor of the establishment of the proposed Institution. It may be said, therefore, that at least one of the two difficulties standing in the way of its creation has been overcome, and if our friends in South America could be brought to approve the idea, and their Governments to designate one or more qualified persons to attend its courses, the Academy would cease to be merely a project and would open its door to competent students from all countries.

I am specially instructed to lay this matter before you, in the hope that it will meet with the approval of Latin American publicists, and that the Governments of the American Republics may be willing to participate to the desired extent of designating competent persons to attend the courses of the Academy. We believe that they would gladly designate such persons if the matter were properly brought to their attention and if it were made to appear—which is the fact—that the establishment of the Academy depends in no small measure upon their coöperation. I may further say, in accordance with the instructions I have received, that if the executive powers of the Latin American States would express their willingness to comply with the request, either made or to be made through diplomatic channels by the Dutch Minister of Foreign Affairs, it is believed that the last difficulty standing in the way of the Academy would be overcome.

Let me briefly outline the plan of the proposed Academy. It may be said that it is still Mr. Sturdsa's plan with some important modifications and additions.

The Academy is to be primarily an Academy of International Law and of connected or related subjects. It is to meet for three months in the year, preferably from July to October, that is to say, during the vacations of the Universities and schools of political science. Systematic courses of instruction are to be given, as Mr. Sturdsa proposed, in Spanish as well as in German, English, French and Italian. The Academy, however, is not to be under the control or to depend upon the support of the nations, although it is hoped that the nations will, as suggested by Mr. Sturdsa, designate appropriate persons to follow its courses of instruction. The Academy is, with the express permission of the Committee in charge, to be installed in the Palace of Peace which was recently opened, and is to be administered in its material aspects by the Committee of the Palace of Peace. Its curriculum is to be determined by a body called the Curatorium, to be composed, in the first instance, of past presidents of the Institute of International Law representing different countries, so that the international aspect will be as controlling as it is apparent. The sums necessary for the support of the Academy are to be furnished by the Carnegie Endowment and to be administered by a special Finance Committee with its seat at the Hague. It has been thought best to place the Academy under private control, and not to request the Governments to furnish any part of the money needed, although it is hoped that they will indicate their interest in it by designating students to follow the courses.

Without going into further details of this kind, which although important are not of general interest, let me briefly state the special object of the Academy, which, in the language of the Dutch Committee, is to "promote the study of public and private international law and political science, including besides the law of nations, international, civil and penal law and political science in connection with international law."

The means of attaining this object are,—

(1) Lectures on special subjects by the most competent professors of the science in question, who shall belong to different nationalities.

(2) Systematic instruction to be given in the whole or a special part of one of the sciences by the most competent professors, who shall, likewise, belong to different nationalities.

(3) Advanced instruction to be given by lecturers and professors according to the seminar method which has produced such remarkable results in Germany and wherever this method has been tried, and, finally, the publication of the courses given by distinguished lecturers.

If we analyze the means thus briefly mentioned, we shall see that lectures on special and timely subjects are to be delivered by lecturers of great attainments, who are not merely theoretically qualified but who have had the advantage of practical experience in dealing with the subjects on which they are to speak. Thus, as a single instance, I may state that the distinguished French publicist and arbiter, Monsieur Louis Renault, who has represented his country with marked

distinction in all the recent international conferences, including two at The Hague, and who is the favorite arbiter of disputes between members of the family of nations, has agreed to deliver, should the Academy be established, a course of thirty lectures on arbitration and arbitral procedure. These lectures would be delivered in French and when published would be widely distributed. They would be placed in public libraries, in University libraries, and would be exposed for sale at moderate prices so that all interested in the subject might procure the printed volume. It is expected that four or five lecturers from different countries would deliver their courses on important and timely subjects of a theoretical and practical nature during each session of the Academy.

You can, of course, be sure that the distinguished publicists of Latin America would be called upon to deliver lectures in Spanish on the various problems of international relations. Systematic instruction will be given by professors of different nationalities and of known competence, and, as it would be either impossible or impracticable to treat the whole of the subject during a single session, without danger of superficial treatment, it is proposed to divide the subjects into their component parts and to treat each part separately, if separate treatment be possible or desirable.

We can easily see the advantage to students of the different view points of the various professors, as the courses would not merely be courses in international law but, as one may say, courses in comparative international law, for, unfortunately, international law is colored by national feeling, just as a stream bears traces of the soil over which it flows. And not only would this be an advantage for students; it would, it is believed, be an even greater advantage to the professors themselves who, by daily contact and the exchange of thought, would be forced to take note of the opinions of their colleagues of different nationalities and thus be led to internationalize international law.

Finally, it is easy to see the great benefit which not merely advanced students would derive from studying under the distinguished lecturers and professors, but lecturers and professors alike would profit from the interchange of thought which would necessarily take place in such intimate and such small courses, because the number of advanced students in the seminar would be small in comparison with the numbers attending the lectures and the systematic instruction.

It is not difficult to create the Academy, to invite lecturers and to secure the services of eminent teachers for a summer term. It may, however, be difficult to find a student body and the Endowment is not willing to have the distinguished specialists lecture to empty benches. Again the Endowment is desirous that the student body shall be of such a kind and of such attainments and be drawn from many different countries so that the influence of the Academy will be felt upon specialists in international law, whether they become teachers, practitioners or diplomats. It is for this reason, among others, that the co-operation of foreign Governments is considered essential, for, if each country represented at The Hague Conference would designate but a single student each year, the student

body, however small, would be of the kind to profit by the instruction and, perhaps, to influence beneficially the foreign relations of their respective Governments.

Let us now consider in what respects the Academy would differ from existing Academies :

(1) It would be installed in the Peace Palace at The Hague and students could not fail to be impressed by the aims and purposes of the Peace Palace.

(2) The lecturers would be selected from the world at large, and the courses could be delivered in any one of the five languages. The publication of the lectures would, it is believed, enrich international law with a series of monographs, so that in the course of a few years students in all parts of the world would have the advantage of the matured views and conceptions of distinguished practitioners and theorists, which would not be the case if the Academy did not exist.

(3) The small faculty would be unique in the sense that it would be composed of professors drawn from different countries, lecturing to students representing the nations of the world which recognize and apply international law in their foreign relations.

(4) The seminars would be unique in the sense that instead of being national, as is now the case, they would be international and directed by experts of different nationalities.

There is so much that could be said for the Academy, there is so little that could be urged against its institution, that its promoters feel it should be established without further delay. It does not compete with any existing institutions either in character, in quality, or in the time of its sessions. It offers instruction equally unique, and not elsewhere to be had. There appears to remain but a single obstacle to its realization. If the Latin American countries would consent to designate one or more competent persons from each of the American Republics to follow the lectures and the courses of the Academy, the Endowment would feel justified in taking the final steps necessary for its organization. I dare not overstep the limits of propriety in urging your Governments to participate in the labors of the Academy, but I can assure you that, with your co-operation, the Academy will become a reality instead of being as it has been for years a dream, a hope, the aspiration of the publicists of many and distant countries.

## National Committees for the Third Hague Peace Conference

The Latin American diplomats and delegates who played such an important part in the Second Hague Peace Conference do not need to be advised of the necessity of preparing, well in advance of the Third Conference, the various plans and projects which it may be the desire or intention of their respective Governments to propose. Indeed, it is common knowledge that the labor of preparation had not been done, or at least not done in a thoroughly satisfactory manner, by all of the Governments represented at the Second Conference. Many of the projects were, it is believed, drafted in the Hague, without consultation with the home Governments, and delays occurred in order that the Governments might receive the projects which their delegates proposed to present, and furnish the delegates with the necessary instructions. It is believed that the Conference would not have remained so long in session if the necessary preparation had been done before the delegates arrived at the Hague, and that the tension observable at times, especially in the last weeks of the Conference, would have been avoided.

The Conference, itself, was convinced that, if there was to be a Third Conference, its programme should be drawn sufficiently in advance of the probable meeting, and communicated to the Powers, so that they might have the projects which they felt inclined to present prepared before the opening of the Conference at the Hague. The result of this general feeling was the adoption of the following resolution :

“The Conference recommends to the Powers the calling of a Third Peace Conference which should take place within a period of time similar to that which has elapsed since the former Conference, at a date to be fixed by common accord among the Powers, who are accordingly urged to prepare for this Third Conference in ample time to allow of their deliberations being carried on with the necessary sanction and despatch.

“To attain this end, the Conference is of the opinion that it would be advisable that, about two years before the probable date of the meeting, a Preparatory Committee should be appointed to collect the various proposals to be submitted to the Conference; to determine the matters susceptible of an international agreement; and to prepare a programme sufficiently in advance to permit the careful consideration of all these matters by the interested nations. This Committee would likewise be called upon to propose a method of organization and procedure for the Conference itself.”

The Conference thus recommended the calling of a Third Conference, and, as all the Powers agreed to the resolution, it is evident that a Third Conference is to be expected.



Dr. Andrew D. White records in his interesting *Autobiography* a conversation with Baron de Staal, President of the First Conference, in which he stated that a Second Conference was likely to meet in the ensuing year. It did not, and eight years elapsed between the First and the Second Conferences. Without fixing a precise date, it is agreed that a Third Conference should meet approximately eight years after the adjournment of the Second, that is to say, in 1915, approximately. The precise date of the meeting is, according to the resolution, to be fixed by common accord among the Powers, and, in order that the Powers might have ample time for preparation, it was proposed that some two years before the probable date of reunion a Preparatory Committee should be appointed to determine the matters susceptible of an International agreement and to prepare a programme sufficiently in advance to have it properly considered by the Powers.

If, therefore, the recommendation of the Conference is to be carried into effect, it is evident that steps should be taken during the present year to form this Preparatory Committee. As far as is known, the Governments have not decided that the Third Conference shall meet in 1915 or that it shall meet at any specified date, but it is fair to presume that, if the meeting does not take place in 1915, it will not be postponed to a much later date, as public opinion will, no doubt, be as insistent as it was before the meeting of the Second Conference. But, it is evident that the Preparatory Committee has a very difficult task, and that it needs all the light it can receive from the four quarters of the world.

Now it stands to reason that a very serious responsibility rests upon each of the Governments invited to the Second Conference, which will, doubtless, be invited to the Third Conference because, not merely the success of the Conference itself, but the form and character of the programme depend upon the coöperation of the Governments. There are twenty-one American Republics; there are twenty which we in our country ordinarily speak of as the Latin American Republics, that is to say, Latin America forms almost one-half of the nations invited or actually participating in the Conference, and, as each nation has a vote, it can be seen that Latin America by the mere force of numbers, not to speak of its intellectual greatness, can go far to determine the nature and content of the programme. This, therefore, taxes the American representatives with a grave responsibility, for right and duty are correlative terms.

Supposing that the Conference is to take place approximately in 1915 or 1916, and that a Preparatory Committee of the Powers will be appointed some two years in advance of the meeting of the Conference, it would seem to be clear, without argument, that the Governments invited to the Second Conference should take steps to formulate their views and conceptions so that they may be ready to have them presented to the Preparatory Committee immediately upon its constitution. How can the preparation for the Third Conference best be made? Many European Governments have appointed small National Committees to consider the questions which their respective Governments would like to have included

in the programme, as well as to formulate and express views upon the other questions contained in the resolution. Mr. Root, in his instructions to me, has suggested that every American country appoint a National Committee for the consideration of possible contributions to the programme of the next Hague Conference, and that arrangement be made for the intercommunication of such Committees among all American countries, and I am directed to make this suggestion in the hope that it may commend itself to the wisdom and discretion of the various countries which I have the honor to visit. It is not meant that the American countries should unite upon a common programme and that it should be presented to the International Committee as the views of the Western Hemisphere; but it is felt to-day, as was formerly and as ever will be the case, that in a multitude of counsellors there is wisdom.

I pass to the question of the appointment of a Committee which may be called an International Preparatory Committee to distinguish it from the like Committees of the various States. Its composition is a matter of very great importance upon which the voice of America should be heard. While it is, of course, true that the International Committee will make its report to the nations at large and that the Governments will in last resort accept or reject the programme, nevertheless the recommendation of this Committee will in all probability be adopted, so that the programme of the Third Conference will not really be drafted by the Powers in consultation but by the Members of the Preparatory Committee. How is this International Committee to be formed? Is it to be composed of the large Powers, and of some small Powers? If so, who is to choose the Powers? This is a very difficult matter and one which gives ground for serious thought and reflection. It is well known that President Roosevelt took the initiative in bringing about the meeting of the Second Conference. It is a fact, however, that the programme was drawn up by Russia after consultation with various Powers, which it took care to consult; but it would seem more respectful to the participating Powers, as well as in the interest of the programme itself, that all should be asked to contribute their suggestions as to the formation of the programme—not merely asked to ratify a "*fait accompli*". I cannot escape the feeling that the practice of the American Republics could be of great service to the States at large. I refer to the Pan-American Union of which every American State is a member, and to its Governing Board, composed of the Diplomatic Representatives of each of the Latin American Republics under the Presidency of the Secretary of State of the United States. It is the custom of the Board to refer important matters which are up for discussion to small committees for study and report; the small committee has no power of its own; it merely lays before the Board the results of its labors, and, in appropriate cases, with a recommendation. The Administrative Council of the Permanent Court of The Hague is composed of the diplomatic agents of the various countries represented at The Hague under the Presidency of the Dutch Minister of Foreign Affairs. Now, it has occurred to not a few

of us that, as the programme of organization of the Third Conference is a matter of interest to all nations, just as the programme of the Pan American Conference is primarily of interest to each and every one of the American Republics, the Administrative Council, composed, as it is, of the representatives of the Powers, might be, by agreement of the Powers, invested with the duties and the functions of the International Preparatory Committee: in other words, that it be the International Committee and that it be authorized to appoint a small committee to be called Executive Committee—a *comité d'examen* or *comité d'études*, which small committee should take up and consider the various matters mentioned in the resolution, and report its conclusions or recommendations to the Administrative Council, just as a Special Committee of the Board reports to the Governing Board. In this way a small working committee could be formed without difficulty, because such committees were frequently appointed at the Second Hague Conference, without any friction whatever.

The Members of the Special Committee would undoubtedly confer with their Home Governments, so that the projects reported to the Administrative Council would have already had the approval of their Governments; and the Members of the Council, not Members of the Special Committee, would undoubtedly know what was taking place in the Special Committee, or, at any rate, the reports of the Special Committee might be submitted to their respective Governments for their advice.

It is believed that Members of the Council would not need to wait any length of time for the reports or recommendations of the Special Committee, because the Diplomatic Corps resides at The Hague, its Members meet constantly and are on familiar and intimate terms. The Governments represented at The Hague would thus be kept in close and intimate touch with the proceedings of the Committees.

There is perhaps one objection to this plan because although forty-four States were represented at the Second Conference, only thirty-four are accredited at The Hague; but the reply to this objection is that the Powers not represented can, if they choose, appoint diplomatic agents, or the Powers not represented might have the reports made to them by the Dutch Minister of Foreign Affairs, as President of the Administrative Council, from time to time as they are received from the Preparatory Committee, and they could transmit to him their views.

I do not consider it advisable to attempt an enumeration of the subjects to be included in the program, as that is a matter for the Foreign Office to determine. I would state, however, that, just as the Second Conference considered as unfinished business the projects of the First Conference, which were rejected for the time being, the Third Conference will no doubt regard the *voeux* and recommendations of the Second Conference as unfinished business, and that, as the Second Conference revised the conventions of its predecessor in the light of experience and further reflection, it is to be presumed that the

Third Conference will subject the labors of its enlightened predecessor to examination, criticism and amendment. I would state as likely to figure in the program:—

(1) A General Treaty of Arbitration in which the Powers will agree either to arbitrate generally with the usual reservations, or to arbitrate specified lists of subjects to which the reservations would not apply.

(2) The definitive establishment of the Court of Arbitral Justice decided upon by the Second Conference, by a method of composition which will be agreeable to the States generally.

(3) The consideration of the Declaration of London regarding Prize Courts, because it is hardly to be expected that the thirty odd Powers not represented at London will be willing, by accepting the Declaration, to consider the ten Powers which actually framed the document as their representatives for this or for any other purpose.

I beg to call your attention to the fact that the Institute of International Law appointed a special Committee to consider the questions to be discussed at the next Peace Conference, and agreed upon the following list:—

I. Elaboration of regulations with reference to the laws and customs of maritime warfare in the relations between belligerents.

II. Creation of a Court of Arbitral Justice.

III. General Treaty of Arbitration.

IV. Elaboration of regulations concerning a permanent organization of the Peace Conference.

V. Extension of the Convention of October 18, 1907, regarding the opening of hostilities, so as to cover in general all international agencies of coercion.

VI. Determination of the maritime belt, and regulation of its sphere.

VII. Effects of war upon the private rights of individual nationals of the belligerent States.

VIII. Rules governing airships in time of war.

IX. Rules governing lighthouses in time of war.

X. Value of arbitral awards with regard to national jurisdictions and authorities.

XI. Diplomatic and Consular immunities.

XII. Competence of the Courts with regard to foreign States.

It is a matter of importance for the American Republics to make a study of the subjects to be included in the programme, and to formulate the projects to be presented and discussed in the Conference, since it is not enough that the States should merely attend the Conference, but that they should also take part in the

deliberations. America should contribute to the result, and this can only be adequately accomplished if the programme has been carefully studied and the projects considered and drafted before the Conference meets.

There is another viewpoint from which the subject should be considered, which would go a long way towards justifying the appointment of the National Committees, without reference to the influence of such Committees upon the labors of the International Preparatory Committee. The question of attitude is of fundamental importance in considering the subject of an international conference, for it is not to be presumed that national interests will play as great a role in an international conference as they would at home. A nation taking part in an international conference should, therefore, consider not merely in how far it can secure acceptance of its national views and of its special interests, but in how far it can, in the interest of the common good, yield its national views and special interests, or in how far it can consider a compromise where it is impossible wholly to yield. Considered solely in this light, it is believed that the national committees would render genuine service to their respective countries.

Distinguished publicists have held that more real progress has been made in the development of international law since the meeting of the First Conference than in the interval between that date and the Congress of Westphalia. This statement may or may not be true, but it is believed that the meeting of that Conference and the meeting of the succeeding Conference was, and will be, more important than any convention negotiated, declaration adopted, resolutions agreed to, or recommendations which may have been made. The importance of the First Conference, leaving out its work, lay in the fact that twenty-six nations were willing to meet and to discuss questions of general, as distinct from special, interest. The importance of the Second Conference, to which, through the instance of Mr. Root, all the Latin-American nations were invited, lay in the fact that practically all the nations of the world went into the Conference at The Hague, and for four months their representatives were within four walls, engaged in the peaceable discussion of great and beneficent projects, many of which they were able to put in acceptable form, and the individual delegates were so impressed with the result of their meeting that they recommended unanimously a Third Conference. In the instructions to the American delegates of the Second Hague Conference, Secretary Root said:

“The immediate results of such a conference must always be limited to a small part of the field which the more sanguine have hoped to see covered; but each successive conference will make the positions reached in the preceding conference its point of departure, and will bring to the consideration of further advances towards international agreement opinions affected by the acceptance and application of the previous agreements. Each conference will inevitably make further progress and, by successive steps, results may be accomplished which have formerly appeared impossible.

"You should keep always in mind the promotion of this continuous process through which the progressive development of international justice and peace may be carried on; and you should regard the work of the Second Conference, not merely with reference to the definite results to be reached in that Conference, but also with reference to the foundations which may be laid for further results in future conferences. It may well be that among the most valuable services rendered to civilization by this Second Conference will be found the progress made in matters upon which the delegates reach no definite agreement".

And in commenting upon the results of the Second Conference, he said:

"Let me go beyond the limits of the customary formal letter of transmittal and say that I think the work of the Second Hague Conference, which is mainly embodied in these Conventions, presents the greatest advance ever made at any single time toward the reasonable and peaceful regulation of international conduct, unless it be the advance made at the Hague Conference of 1899.

"The most valuable result of the Conference of 1899 was that it made the work of the Conference of 1907 possible. The achievements of the Conference justify the belief that the world has entered upon an orderly process through which, step by step, in successive Conferences, each taking the work of its predecessor at its point of departure, there may be continual progress toward making the practise of civilized nations conform to their peaceful professions".













